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ABSTRACT

The House Committee on Education and Labor reports on the bill (H.R. 856) to improve education in the United States by promoting excellence in research, development, and the dissemination of information. The committee reports favorably on the bill, with an amendment, and recommends that the House pass the bill as amended. Consideration of H.R. 856 began in June 1991, and the various hearings and statements are summarized. As recommended by the Committee, the "Educational Research, Development and Dissemination Excellence Act" amends Section 405 or the General Education Provisions Act and reauthorizes the Office of Educational Research and Improvement through 1997. The bill also establishes five initiatives for educational research. The first is an 18-member Educational Research Policy and Priorities Board. A second effort establishes five National Research Institutes, for the following: (1) at-risk students; (2) innovation in educational governance, policymaking, finance, and management; (3) early childhood education and development; (4) student achievement; and (5) postsecondary education, libraries, and lifelong learning. A program of cross-cutting research is planned, and a National Education Dissemination System that will include the Educational Resources Information System and efforts toward the National Education Goals is established. A fifth initiative is a National Library of Education. The amended text is included. (SLD)

ED 363 635

EDUCATIONAL RESEARCH, DEVELOPMENT, AND DISSEMINATION EXCELLENCE ACT

103d Congress, 1st Session, Report 103-209

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

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103D CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
103–209

EDUCATIONAL RESEARCH, DEVELOPMENT, AND DISSEMINATION EXCELLENCE ACT

AUGUST 2, 1993.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. FORD of Michigan, from the Committee on Education and Labor, submitted the following

REPORT

[To accompany H.R. 856]

The Committee on Education and Labor, to whom was referred the bill (H.R. 856) to improve education in the United State by promoting excellence in research, development, and the dissemination of information, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment strikes out all after the enacting clause of the bill and inserts a new text which appears in italic type in the reported bill.

COMMITTEE ACTION

On June 30, 1993, the Subcommittee on Select Education and Civil Rights considered the bill, H.R. 856. After adopting an amendment in the nature of a substitute offered by Mr. Owens of New York, the subcommittee approved the bill with an amendment in the nature of a substitute, by unanimous voice vote.

On July 28, 1993, the Full Committee met in open legislative session and ordered the bill reported favorably with an amendment in the nature of a substitute, by voice vote.

SUMMARY

The "Educational Research, Development and Dissemination Excellence Act" amends section 405 of the General Education Provisions Act and reauthorizes the Office of Educational Research and Improvement (OERI) through 1997. The bill establishes:

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(1) An 18-Member Educational Research Policy and Priorities Board.

(2) Five National Research Institutes:

The National Institute for the Education at At-Risk Students.

The National Institute for Innovation in Educational Governance, Policy-Making, Finance, and Management.

The National Institute for Early Childhood Development and Education.

The National Institute for Student Achievement.

The National Institute for Postsecondary Education, Libraries, and Lifelong Learning.

(3) A program of Cross-Cutting Research.

(4) A National Education Dissemination System which includes:

Education Resources Information Center (ERIC).

The use of new technologies and techniques to synthesize and disseminate research and development findings and other information.

A System of 10 Regional Educational Laboratories.

A Teacher Research Dissemination Network.

The Goals 2000 Community Partnerships Program.

(5) A National Library of Education to serve as the central location within the Federal government for information about education.

STATEMENT

The most powerful summary of the multiple maladies which today afflict and impair the Federal education research and development infrastructure can be found in a study complete by Roger Levien for the Rand Corporation:

> The sums provided [for educational research and development] have been relatively small * * * The reputation of educational R & D has been relatively low * * * The focus of educational R & D has been diffuse; small projects asking small questions with small cumulative effect have predominated. The linkage between educational R & D and the education system has been weak; little output of R & D has found its way to the classroom and not many classroom problems have been solved through R & D. Teachers and administrators have been too rarely involved in the quest for new educational knowledge and its use. Finally, the support for educational R & D has been unstable; rapid changes of staff and priorities in Federal agencies have caused frequent fluctuations of emphasis.

The power of this assessment lies not only in its cogent accuracy, but in the fact that it was written not last year, or the year before, but in 1971—twenty-two years ago.

What is so astonishing about the problems which pervade Federal education research and development is that they have been so enduring. The same deficiencies and the same failure cited in studies and reports written decades ago persist today: underfunding, inadequate coordination, the lack of a coherent and consistent long-term agenda, politicization, nonresponsiveness to the needs of edu-

cators, and a feeble system of dissemination. Yet, these problems persist not because they are impervious to correction, but because neither the Congress nor the President have worked seriously to address them. Past reauthorizations have tended to tinker on the margins, changing the names of things but not how they are structured and how they function. We have rearranged the deck chairs, instead of reversing the course of a sinking, sputtering ship.

No longer. With H.R. 856, the Committee invites the President to join us in reversing course.

This is a propitious moment to make the fundamental structural changes which are so urgently required. The Subcommittee on Select Education and Civil Rights has held 18 hearings over the past five years, hearing from 112 witnesses about the kind of changes which must be made to reinvigorate and repair the Federal education research effort. The National Academy of Education and the National Academy of Sciences have both recently issued complementary reports on education research which outline an agenda for comprehensive change. There has never been a better time for meaningful reform.

Nor has the need for a high-quality, fully-functioning education research and development system ever been greater. Attaining the six ambitious National Education Goals promulgated by President Bush and the Nation's Governors requires more than high hopes and good intentions. It requires sound, research-based knowledge to point the way.

The 1971 Rand report noted that:

> Knowledge can be acquired in two ways: it may be the result of the random and casual process through which most institutions and individuals learn from their experiences—trail and error; or it may be a product of the interrelated and disciplined procedures by which scholars, scientists, and technologists gain information and use it—research and development. R & D has greatly expanded our knowledge of physical and biological phenomena and our ability to adapt those phenomena to our purposes. While random and casual processes of learning about education will continue, they are insufficient. Education R & D is necessary to gain the knowledge needed for educational improvement and reform.

Twenty-two years later, it is long past time for us to act to assure that such knowledge is systematically and abundantly produced and that it is effectively put to work to improve the Nation's schools.

Hearings and testimony

The Subcommittee on Select Education and Civil Rights held eighteen hearings on the Office of Educational Research and Improvement from July 30, 1987 through June 14, 1993. These hearings covered a myriad of subjects regarding education research and development which elicited information on how OERI could be reinvigorated by increasing its budget, reorganizing its infrastructure, and redirecting its priorities, especially as they pertain to improv-

ing education for at-risk students. What follows is a brief topical description of each hearing.

July 30, 1987.—This hearing was convened to examine plans to restructure the Educational Resources Information Center (ERIC) and to ensure the preservation of valuable components of the system during the modification process. Since the Center is widely acknowledged as the world's largest and best-known educational database, the Subcommittee wanted assurances that the improvements considered by OERI would maintain the assets of the ERIC system. OERI sought to upgrade and popularize the ERIC system by modifying its dissemination methods and making its contents more accessible. It was also proposed that ERIC have the capacity to provide statistical data. The Subcommittee was particularly interested in the comparative user costs of ERIC, the percentage of the Department of Education's budget spent on providing information, the interaction between the ERIC system and other Department programs, and the proposed addition of three components to the system.

Testimony and recommendations were received from the following witnesses: Lynn Barnett, Chair, ERIC Technical Steering Committee; Leslie Bjorncrantz, Curriculum Librarian and Education Bibliographer, Northwestern University; Donald Ely, Director, ERIC Clearinghouse on Information Resources, Syracuse University; Don Erickson, Director, ERIC Clearinghouse on Handicapped and Gifted Children; Natalie Felsher, Reading Specialist, Montgomery County Public Schools; Chester Finn, Assistant Secretary for Educational Research and Improvement, U.S. Department of Education; Charles Hoover, former director, ERIC, and former assistant director for information resources, National Institute of Education; and Kenneth S. Tollett, Distinguished Professor of Higher Education, Graduate School of Arts and Science, Howard University. Additionally, prepared statements, letters, and supplemental materials were submitted by the American Educational Research Association; Robert E. Chesley, educator; and Paula Montgomery, Maryland State Department of Education.

April 20 and 21, 1988.—The purpose of these hearings was to determine the extent to which the nation's education research agenda reflects its key priorities, and the consequences for ignoring them. The Subcommittee was interested in exploring the adequacy of the Department of Education's research infrastructure—consisting of a network of labs, centers, and clearinghouses—in meeting the challenges reflected in the current crisis in education. In addition, there was discussion concerning the limited funding of education R&D and the possibility of pressing for greater appropriations.

The witnesses were: P. Michael Timpane, President, Teacher's College, Columbia University; Nathaniel M. Semple, Vice-President and Secretary, Research and Policy Committee, Committee for Economic Development; James S. Coleman, National Opinion Research Center; Faustine C. Jones-Wilson, The Bureau of Educational Research, School of Education, Howard University; Mary Hatwood Futrell, President, National Education Association; Eleanor Chelimsky, Director, Program Evaluation and Methodology Division, General Accounting Office; Alan C. Purves, Director of the Center for Writing and Literacy, State University of New York; Al-

bert Shanker, President, American Federation of Teachers; Chester E. Finn, Jr., Assistant Secretary for the Office of Educational Research and Improvement, Department of Education; Charles Wallgren, Executive Vice-President, High/Scope Educational Research Foundation; James Hyman, Vice-President, Manpower Demonstration Program; Denis Doyle, Senior Research Fellow, The Hudson Institute; Christopher T. Cross, President of the University Research Corporation, and Chairman of the Laboratory Review Panel, OERI; John E. Hopkins, Executive Director, Research for Better Schools; Susan Fuhrman, Director, Center on State and Local Policy, Development and Leadership, Rutgers University; Gordon Ambach, Executive Director, Council of Chief State School Officers; Nancy Cole, President, American Educational Research Association; Judi Conrad, Assistant Director, ERIC Clearinghouse on Handicapped and Gifted Children and Chair, Council of ERIC Directors (COED); Michael Kaplan, Director, Basic Research, U.S. Army Institute; and Richard E. Rowberg, Chief, Science Policy Research Division, Congressional Research Service.

September 29, 1988.—This hearing addressed the Department's proposed Center for Effective Schooling of Disadvantaged Students. The Subcommittee was concerned about the hasty manner in which the Center was conceived, the grant award process, and the lack of support and input of researchers most familiar with the problems of the educationally disadvantaged.

The witnesses were: Eric Cooper, Vice President, in-service training and communications, Simon and Schuster School Group; Willis Hawley, Chairperson, American Educational Research Association, Vanderbilt University; Dale Mann, Professor and Senior Research Associate, Center for Education and the Economy, Teachers College, Columbia University; B.D. Mayberry, Acting Director, Carver Research Foundation, Tuskegee University; Charles Moody, Vice Provost for Minority Affairs, University of Michigan, Ann Arbor; Linda Roberts, Project Director, Office of Technology Assessment, U.S. Congress; Harriet Doss Willis, Director, Southwest Center for Educational Equity, Southwest Regional Laboratory.

March 9, 1989.—The tocus of this oversight hearing was to examine the deteriorating situation in many inner-city schools and how education research could be effectively applied to significantly improve them. The Subcommittee was also concerned with OERI's inability to utilize its impressive infrastructue—the centers, labs, research information clearinghouses, and the highly successful National Diffusion Network—to provide specific help in changing and improving the educational opportunities for the disadvantaged.

The witnesses included: Ruth Allen, Director of New York City Programs, Cornell Cooperative Extension; Don Davies, President, Institute for Responsive Education; Patricia Edwards, Center for the Study of Reading; Joyce Epstein, Center for Research on Elementary and Middle Schools, Johns Hopkins University; John Murphy, Superintendent, Prince Georges County Schools; John Wagner, Director, Cooperative Extension Program, University of California at Davis; Lisa Walker, Director of Policy Resources, Institute and Educational Leadership; Lois Wille, Editorial Page Editor, Chicago Tribune.

September 14, 1989.—This hearing was called as part of a series to discuss the mission of OERI in light of the continuing crisis in our Nation to deliver on the promise of equal education opportunity.

Testimony was offered by: Robert A. Dentler, Professor of Sociology, University of Massachusetts at Boston; Christopher Edley, Jr., Esquire, Professor of Law, Harvard University; Paul T. Hill, Co-author, "Educational Progress: Cities Mobilize to Improve Their Schools"; Gerald Jaynes, Study Director, "A Common Destiny; Blacks and American Society"; Lee Etta Powell, Superintendent of Schools, Cincinnati, Ohio; Wornie Reed, Director, Trotter Institute of Black Culture, University of Massachusetts at Boston.

October 26, 1989.—This hearing focused on the procedures for funding the 12 proposed National Research Centers and to determine whether OERI's priorities and guidelines regarding them were adequate, given the Nation's urgent educational problems. Additionally, the Subcommittee was deeply disturbed by apparent partisan interference in the funding process for the Centers.

Witnesses were as follows: James Keefe, Director, Government Relations, Nation Association of Secondary School Principals; Edward Keller, Executive Director, National Association of Elementary School Principals; Arnold Webb, Senior Research-Director, Cooperative School Improvement, Research for Better Schools (Testifying on behalf of the Council for Educational Development and Research; Ramon Santiago, Professor, Department of Linguistics, Georgetown University; Richard Wallace, Superintendent, Pittsburgh Public Schools; David Imig, Executive Director, American Association of Colleges for Teacher Education; Arthur E. Wise, Director, Center for the Study of Teaching, the Rand Corporation. Prepared statements were included from the following: The National School Boards Association: Daniele Ghiolfi Rodamar, Assistant Professor, Department of Language and Foreign Studies, American University.

September 27, 1990.—The plight of the African-American male was addressed at this hearing. Three panels discussed myths that impede the educational progress of African-American males, identified exemplary models and approaches to education, and summarized new strategies for producing African-American teachers.

The witnesses were: Norma Ewing, Chairperson, Special Education Department, Southern Illinois University; Barbara Holmes, Director, Policy Studies, Education Commission of the States; Henry Frierson, Office of Educational Development, University of North Carolina at Chapel Hill; William Oliver, Criminal Justice Program, University of Delaware; Larry Hawkins, Institute for Athletics and Education, University of Chicago; Shirley McBay, President, Quality Education for Minorities Network; Geneva Gay, School of Education, Purdue University; Warren Simmons, Director of Equity Assurance Programs, Prince Georges County Public Schools; Michael K. Grady, Research Associate, Prince Georges County Public Schools; W. Curtis Banks, Psychology Department, Howard University; Jomills Henry Braddock II, Director, Center for Research on Effective Schooling. Prepared statements were received from Steven Bossert, Dean, School of Education; Bruce Hare, Professor and Department Chair, African-American Studies

and William Pollard, Dean, School of Social Work, Syracuse University.

March 20, 1991.—This hearing was held to discuss the contribution of the private sector in improving educational equity and the role OERI might play in furthering the potential of private sector initiatives. The Subcommittee explored the possibility of the involvement of the private sector in education policy-making and in setting priorities for education research and development being a critical factor in improving our Nation's effectiveness in global economic competition.

The witnesses were: Mr. William Kohlberg, President, National Alliance of Business; Mr. William Lurie, President, The Business Roundtable; Mr. Nat Semple, Vice President and Secretary, Committee for Economic Development; Mr. G. Carl Ball, Chairman of the Board, George J. Ball, Inc.; Dr. Dale Mann, National Learning Foundation, Teachers College, Columbia University; Dr. Berl Hogins, Co-Founder and Sr. Vice President and Mr. John Kernan, CEO, Jostens Learning Corporation; Mr. William Clark, President and CEO, Optical Learning Systems.

April 23, 1991.—Educational assessment was the topic of this hearing, focusing specifically on the impact of a national test on equal educational opportunity, educational standards and curricula, and student achievement. Testimony was heard on the potential consequences of the new assessment initiatives proposed by the Bush Administration in its education strategy "America 2000".

The witnesses included: Marc Tucker, President, National Center on Education and The Economy; Dr. Eva L. Baker, Co-Director, UCLA Center for Study of Evaluation and Testing; Dr. Monty Neill, Associate Director, Fair Test; Dr. Joan Baratz-Snowden, Vice-President, Assessments and Research, National Board for Professional Teaching Standards; Dr. George Madaus, Boisi Professor of Education and Public Policy and Director of the Center for the Study of Testing, Evaluation and Educational Policy, Boston College; Dr. Edward De Avila, President, Linguametrics; Donald Barfield, Far West Laboratory; Dr. Anita R. Lancaster, U.S. Department of Defense.

Written testimony was submitted by Dr. Jeannie Oakes, Professor of Education, UCLA and Dr. Linda F. Winfield, Principal Research Scientist, The Johns Hopkins University Center for Research on Effective Schooling for Disadvantaged Students.

April 25, 1991.—This hearing was convened to discuss (1) the President's "America 2000" proposal and its impact on the conditions affecting the educationally disadvantaged and (2) the feasibility of establishing an Institute for the Education of At-Risk Students to focus on research needed to stem the present failures of educational institutions to address the needs of urban and rural communities.

Witnesses were: James Comer, Director, Yale Child Study Center, Yale University; Keith Geiger, President, National Education Association; Edmund Gordon, Professor of Psychology and Afro-American Studies, Yale University; Linda Darling-Hammond, Professor and Co-Director NCREST, Teachers College, Columbia University; C. Todd Strohmenger, Director, Rural Small Schools Program, Appalachia Educational Laboratory; Laura I. Rendon, Asso-

ciate Professor, Adult and Community College Education, North Carolina State University; Shirley M. McBay, President, Quality Education for Minorities Network; and Ruby Thompson, President, Clark Atlanta University.

May 8, 1991.—This hearing was convened to discuss the cancellation of two OERI-administered grant competitions (without prior notice to, or consultation with, Congress) and OERI's failure to provide details regarding the use of the $10 million in discretionary funds available as a result of these cancellations.

Witnesses were: Bruno Manno, Acting Assistant Secretary, Office of Educational Research and Improvement, U.S. Department of Education, accompanied by Carol Cichowski, Director of the Division of Special Education, Rehabilitation, and Research Analysis, Office of Planning, Budget, and Evaluation.

September 25, 1991.—This hearing focused on widespread disparity in the quality of education among interstate and intrastate public school districts and the impact of inequitable systems (finance, services, physical facilities) on at-risk students.

Witness: Jonathan Kozol, author of "Death at an Early Age" and "Savage Inequalities".

March 17 and 18, 1992.—The purpose of these hearings was to receive comment from the Administration, as well as the education research, development, and dissemination community concerning the reauthorization proposals contained in H.R. 856. Particular attention was paid to the size, composition, and role of the proposed Educational Research Policy and Priorities Board. Also discussed was the need for a much greater investment in OERI's dissemination system, with the possible development of an electronic network. In addition, the General Accounting Office (GAO) reported on its findings and recommendations concerning the Department of Education's Research Library.

The witnesses were: Dr. Diane Ravitch, Assistant Secretary for the Office of Educational Research and Improvement; Dr. Arthur E. Wise, President of the National Council for Accreditation of Teacher Education; Dr. Robert L. Linn, Professor, University of Colorado and Co-Director of the National Center for Research on Evaluation, Standards and Student Testing (CRESST); Preston Kronkosky, Executive Director Southwest Regional Laboratory on behalf of the Council for Educational Development and Research (CeDAR); Dr. Ann Lieberman, President of the American Educational Research Association (AERA); Dr. Thomas Schultz, Director of Early childhood Services, National State Boards of Education (NASBE); Edward P. Keller, Deputy Executive Director, National Association of Elementary School Principals; Dr. Wornie L. Reed, Director Urban Child Research Center, Cleveland State University; Kenneth P. Komoski Executive Director, Educational Products Information Exchange Institute (EPIE); Dr. Michael Webb, Director of Education, National Urban League; Dr. Michael B. Eisenberg, Director, ERIC Clearinghouse on Information Resources and Chairperson of the ERIC Executive Committee; Dr. Linda Morra, Director, Education and Employment Issues, Human Resources Division, General Accounting Office (GAO); Dr. Stanley Zenor, Executive Director, Association for Educational Communications and Technology.

March 8, 1993.—The purpose of this hearing was to obtain comments on: (1) the Institute for Governance and Management which would provide federal assistance to school boards, chancellors, superintendents, parent bodies, and others concerned with educational policy-making and management as it relates to schools and school systems; and (2) the Institute for the Education of At-Risk Students, created with the authority to support the development of a curriculum to improve performance and eliminate high drop-out rates in inner city schools.

Witnesses were: Stanley S. Litow, Deputy Chancellor for Operations, New York City Board of Education; Hon. Elizabeth Holtzman, Comptroller, City of New York; Ed Stancik, Special Commissioner of Investigation for the New York City School District; Noreen Connell, Executive Director of Educational Priorities Panel; Argie K. Johnson, Deputy Chancellor of Instruction, New York City Board of Education; Bob Law, Director, Respect Yourself Youth Organization; and Adelaide Sanford, New York State Regents.

May 27, 1993.—This hearing centered on a review of the National Research Council's report, *The Federal Role in Education Research and Education Reform: Roles for the Office of Educational Research and Development;* and a discussion on the innovative program model, *The Michigan Partnership for New Education,* which resembles many aspects of the District Education Agent Program in H.R. 856.

Witnesses were: G. Carl Ball, Committee on the Federal Role in Education Research Council, National Academy of Sciences; Andrew Porter, Ph.d., Committee on the Federal Role in Education Research, National Research Council, National Academy of Sciences; A. Alfred Taubman, Chairman, Board of Directors, Michigan Partnership for New Education, Michigan State University; Judith Lanier, President, Michigan Partnership for New Education, accompanied by Elnora Crutchfield, Assistant Principal for the Seventh Grade, Homes Middle School; and Carlton Brown, Ph.D., Dean School of Liberal Arts and Education, Hampton University.

June 14, 1993.—The purpose of this hearing was to explore the possible impact of the Institute on Governance and Management on the prevention of waste resulting from incompetence or corruption.

Witnesses were: Andrew J. Stein, President, New York City Council; Kevin Gill, Executive Director, Division of Support Services, New York City Board of Education; Richard Ahola, Executive Liaison for Central Services, New York State Education Department; Steve Hoffman, Deputy Director, Newark State Office of Federal Affairs; Bruce Cooper, Professor of Administration and Public Policy, Fordham University; Jean S. Adilifu, Assistant Executive Superintendent Newark Board of Education; John Fager, Cochair, Parents Coalition, Robert Hughes, Deputy Director, Advocates for Children; and Michael Strasser, Assistant Commission, Division of Surface Transit Operations, Department of Education.

Background and need for the legislation

THE NATIONAL ACADEMY OF SCIENCES REPORT

In 1990, the Department of Education commissioned the National Academy of Sciences to undertake a study to evaluate the Federal education research and development effort and to make recommendations about how it could be restructured to better contribute to improving educational practice. The Academy release its study, Research and Education Reform: Roles for the Office of Educational Research and Improvement, in April 1992.

The Academy's report has been very useful to the Committee in its work on the reauthorization of OERI. H.R. 856 incorporates many of the recommendations made by Academy, including:

A simplified mission statement for OERI;

Statutory qualifications for the position of the Assistant Secretary for OERI;

An independent policy-making board for OERI which includes education researchers, teachers, parents, school administrators, employers, and policy-makers;

An open and broadly-participatory agenda-setting process for OERI;

A biennial report evaluating the accomplishments and contributions made by educational research and development;

Realigning OERI according to a programmatic "institute" or "directorate" structure;

Expanded support for field-initiated research;

A dissertation grants program to support research in education by scholars in other disciplines;

A fellowship program to support graduate study in education research by minorities;

Independent authority for OERI to produce and release reports and studies without further approval or amendment by the Department's Office of Public Affairs;

Longer and larger contracts for research and development centers to assure that they are able to conduct a full and sustained program of research;

Support for electronic networking and resource-sharing by schools and educators; and

Greater overall funding for educational research and development.

EXPLANATION OF THE BILL AND COMMITTEE VIEWS

Title I.—General provisions

Mission

H.R. 856 revises and simplifies the statutory mission of OERI to conform with recommendations made by the National Academy of Sciences in its Research report. The Academy noted that the long list of responsibilities specified in the current mission statement tended to drive the agency "to try to be everything to everybody" and to "spread its resources so thin that there is little chance of fulfilling the responsibilities well". The new mission statement also emphasizes that OERI must work closely with researchers, teach-

ers, policy-makers, parents and other stakeholders to accomplish its mission, something that the Academy noted the agency had often failed to do as fully as it should.

Priorities in research and development

OERI is presently organized according to how research is conducted, and not by the topics being studied. Different administrative units, for example, manage the field-initiated research program and the centers program. This structure has contributed to overall incoherence, fragmentation, and instability which has plagued the agency. New topics, ideas and points of emphasis drift in and out with changes in top personnel. There is no enduring, permanent focus to drive the agency's work. Dr. Arthur Wise, testifying before the Subcommittee on Select Education and Civil Rights, noted that the current structure of OERI "does not create a compelling set of targets for research; as a result, the enterprise lacks accountability."

For this reason, H.R. 856 adopts the recommendation made by Dr. Wise, the National Academy of Sciences, and others that OERI be organized programmatically instead of functionally, focusing its activities on five enduring priority areas:

Education of At-Risk Students;
Educational Governance, Policy-Making, Finance, and Management;
Early Childhood Development and Education;
Student Achievement;
Postsecondary Education, Libraries; and Lifelong Learning.

Research institutes are created to carry out comprehensive research and development activities in these priority subject areas. These activities include university-based centers, field-initiated research, and special studies.

Appointment of employees

The bill retains the existing law provision which authorizes the Assistant Secretary to appoint employees with scientific or technical expertise, without regard to the provisions of Title V of the U.S. Code, governing civil service appointments, provided that such employees comprise no more than 20 percent of the total number of OERI's employees.

The legislation revises this authority, however, to assure that OERI does not utilize this provision to avoid promoting qualified OERI staff to these senior level positions or to pad OERI's employment rolls with political appointments. H.R. 856 requires that all vacancies be publicly announced and that all qualified individuals be permitted to apply and compete for these positions.

The legislation also stipulates that this authority may only be used when it is necessary to provide OERI with scientific or technical expertise which is not otherwise available among current employees and could not be obtained through the competitive service. The Committee emphasizes that political acumen is neither technical nor scientific expertise.

While this excepted hiring authority can be necessary and useful at times, the Committee believes that it has been overused in the past. Much greater attention and energy must be directed toward

recruiting and retaining a highly-qualified team of permanent employees. As the National Academy of Sciences noted in its Research report, "A cadre of professionals whose qualifications are known and respected is essential to develop a partnership between the agency and the field." In order to recruit and keep this kind of core staff, OERI will, as the Academy noted, have to provide more professional development activities and greater opportunities for advancement. Agency morale has been harmed by consistently passing over many loyal and excellent employees for top positions. Special attention should also be given to the correcting the dearth of women and minorities in top-level management positions in the agency.

Biennial Report

H.R. 856 requires the Assistant Secretary to report biennially to the President and the Congress on the activities of OERI during the preceding two fiscal years. This report should discuss the work of each of the research institutes and the activities carried out through the National Education Dissemination System and include information concerning the coordination activities and initiatives undertaken by the Assistant Secretary.

Authority to publish

Section 405(d) provides the Assistant Secretary with the independent authority to report and publish such information as may be of value in carrying out the purposes of the sections 405 through 405D without further clearance or approval by the Secretary or any other office of the Department.

Currently, all OERI reports are subjected to a two-tiered clearance and review process. They must first be approved by each office of the Department which has jurisdiction over the matter to which the report pertains. They must then be approved by the Department's Office of Public Affairs, which evaluates their "consistency with ED's mission and goals" and "conformity with legislation, regulations, and policy." In its Research report, the National Academy of Sciences noted that there had been many allegations that this review process has been used to make ideologically-motivated modifications in OERI reports and concluded that it was "inappropriate for a research agency, whose work should be characterized by the highest standards of objectivity." The Committee concurs with this recommendation and believes that providing OERI with independent reporting authority is central to assuring its integrity as a research agency. The results and findings of OERI research must be reported without regard for their possible political implications and the extent to which they do or do not support positions taken by the President.

Coordination

The legislation invests the Assistant Secretary with comprehensive and ongoing responsibilities to promote and facilitate greater coordination of educational research, development, and dissemination activities with OERI, within the Department of Education, and within the Federal Government as a whole.

The National Academy of Sciences noted in its Research report that there has been a long-standing lack of cooperation and coordination among entities assisted by OERI. "Although the centers do research that could be of use in the laboratories' development and technical assistance work, the laboratories seldom work with the centers. Conversely, although the laboratories have extensive contacts with state departments of education and local school districts, the centers seldom seek their advice about the needs of those organizations." OERI tends to administer each of its programs as if it were isolated and completely self-contained, not as one component of a greater, interactive and interconnected system.

Similar problems of poor or nonexistent coordination and cooperation exists between OERI and the other offices and programs of the Department of Education. The Department of Education's Inspector General has identified 43 different Department programs which support technical assistance, perform training and research and disseminate information, including the Chapter 1 Technical Assistance Centers, the Education Evaluation Bilingual Assistance Centers, and the Regional Drug-Free Schools Centers. The activities of these programs are seldom connected or coordinated with each other in a meaningful way.

Nor is OERI's work coordinated with education-related research and development activities supported by other Federal agencies. The National Academy of Sciences found that in 1991 an estimated $171 million was expended to support educational research and development by other agencies, including the National Science Foundation and the Departments of Defense and Health and Human Services. Yet OERI, as the Academy noted, not only makes little effort to coordinate with these agencies, it does not even know what kind of research projects and activities they are supporting.

This failure to promote and enable greater coordination in educational research must concern us not only because it may result in unnecessary duplication of effort and a waste of scarce resources. Of equal concern is that it weakens the enterprise by scattering the knowledge base and making it difficult for each component of the Federal educational research infrastructure to learn from and build upon the successes and failures of others.

To address these problems, H.R. 856 directs the Assistant Secretary to take charge of a comprehensive and sustained effort to promote greater coordination in research, development and dissemination activities funded by the Federal government. The Committee believes that what is required is an initiative comparable to the ongoing efforts of the Federal Coordinating Council for Science, Engineering and Technology (FCCSET) to coordinate the Federal investment in science education.

Assistant Secretary

Section 102 of the bill establishes statutory qualifications for the position of Assistant Secretary for the Office of Educational Research and Improvement which were recommended by the National Academy of Sciences in its Research report: experience as an education researcher, proven management ability, and knowledge of the system of education in the United States. The Academy noted that the failure of many past Assistant Secretaries for OERI to pos-

sess all three of these essential qualifications for the job has contributed to the exceedingly high turnover rate in the position.

The legislation also requires the President to consult with the National Educational Research Policy and Priorities Board in the selection of candidates for the position in much the same manner as the National Science Board (NSB) is consulted in the selection of the Director of the National Science Foundation. In every instance but one, all of the NSB's recommendations for the position of the Director and other Presidentially-appointed positions at NSF have been followed. The result has been a consistently high level of excellence in top leadership positions at the NSF.

Requirements for data collection and reporting

Subsection (i) of Section 405 requires the Assistant Secretary to ensure that all data collected and reported by OERI is collected, cross-tabulated, analyzed and reported by sex within race or ethnicity and economic status whenever feasible.

The Committee finds that the effective design of education programs depends upon research and data collection that accurately describe and explain the impact of those programs on all students. Research shows that patterns of educational experience are often different for girls and boys from different population groups, and analyzing data by sex within race or ethnicity and socioeconomic status is needed to reveal and explain these differences. Because low-income and minority students, particularly girls, often confront multiple forms of bias and discrimination, it is particularly important to have accurate information on the educational experiences of such students. Current Department of Education data collection and research activities provide insufficient information on the inter-related effects of sex, race or ethnicity, and socioeconomic status on educational experiences and outcomes. Statistical reports rarely include cross-tabulations by sex within race or ethnicity, and cross-tabulations including socioeconomic status are even more rare.

Title II.—National Educational Research Policy and Priorities Board

Introduction

A central premise driving this reauthorization is that Federal education research and development has failed to achieve the same status, public support, and degree of effectiveness as Federal research in health, aerospace, physics and other sciences because it utilizes a very different, and dysfunctional, governance framework than these other fields of research. Federal research in education stands alone among all other kinds of Federally-funded scientific research in the extent to which it concentrates decision-making authority in the hands of a few political appointees and provides for such scant participation in those decisions by members of the research community and other stakeholders. However politically useful and administratively convenient this arrangement may be for the Department of Education, it clearly has not been productive of the high-quality research this Nation needs as it seeks to improve education.

The administration of other kinds of scientific research both within and outside government relies heavily upon collegial decision-making processes which provide for maximum participation of individuals with expertise of an interest in the issues under consideration. Though sometimes unwieldy or complicated to carry out, this 300-year tradition of collegial decision-making, diffuse authority, and peer review has prevailed because scientists have found time and time again that it works: the soundest and best judgements have been those which represent the consensus or dominant opinion among multiple informed points of view.

This tradition is embodied in the organizational structures of the two largest Federal research agencies: the National Science Foundation and the National Institutes of Health.

The National Science Foundation (NSF) is governed by the 24-member, Presidentially-appointed National Science Board (NSB) which consists of leading scientists and other experts in the disciplines supported by the NSF. The NSB has exclusive authority to prescribe policy for the NSF. These policies may be originated by the Board itself or initiated by the NSF Director and other NSF personnel and submitted to the Board for its approval. The NSB prepares the original budget for the NSF which is submitted to OMB for its approval; subsequent negotiations with OMB and the Congress over the budget, however, are chiefly conducted by the Director, working within general parameters and priorities that have been set down by the Board. The Board also plays a significant role in approving individual grant and fellowship awards. Board approval is currently required for any grant which represents or entails a change in NSF policy and all other proposed grants which exceed $1,500,000. All grant proposals, including those submitted to the Board for approval, are first evaluated by peer reviewers with appropriate knowledge of the science involved. The only area in which the Board has exercised little authority or influence has been the organizational structure of the NSF, which has largely been determined by the Director and the Congress with only minimal participation by the NSB.

Although somewhat differently configured than NSF, the governance structure of the National Institutes of Health also emphasizes the importance of collegial decision-making. Each Institute has an 18-member advisory council appointed by the Secretary of HHS in consultation with the Institute Director. Two-thirds of the members of each council are scientists with expertise in disciplines relevant to the purposes of the Institute and the remainder are policy-makers, economists, and other members of the public who have an interest in the purposes of the Institute. Each of these councils makes recommendations to the Secretary of HHS and the Director of the Institute about the Institute policies and the kinds of research which it supports; while these policy recommendations are not binding upon the Secretary or the Director, traditionally they have carried great weight. Each council must also review and approve every proposed grant which exceeds $50,000. As with NSF, all grant proposals are first evaluated by peer reviewers with appropriate expertise.

The structure of the Office of Educational Research and Improvement is a dramatic contrast to that of NSF and NIH. Decision-mak-

ing authority is vested exclusively with the Assistant Secretary and the Secretary and the only formal mechanism for participation by the research community and other stakeholders in these decisions is a general, biennial notice in the Federal Register which solicits public comment about OERI's research priorities. While there is a Presidentially-appointed advisory council for OERI, its membership is not considered representative of the research community or particularly well-qualified and it is universally regarded as irrelevant both within and outside OERI. Between 1972 and 1986, this council did have policy-making authority but it never attained the same degree of influence as either the NSB or even the NIH advisory councils because its powers were vague and its membership was not fully representative of the research community and other stakeholders in education research and development. In 1986, this board was finally stripped of its policy-making authority because the quality of its membership had become so poor—consisting generally of persons who received their appointment as a political favor and who were neither knowledgeable nor even interested in education research—that it was widely seen as an embarrassment.

With the evidence of its ineffectiveness now so abundant, this excessively centralized decision-making structure must now be changed. The consensus on this point could not be more clear. For more than 30 years—since at least 1958—every major study of the Federal education research effort has consistently recommended that it be restructured along the lines of the National Science Foundation and the National Institutes of Health to provide for more collegial decision-making about research priorities and the allocation of resources. These studies, by such authorities as the National Academy of Sciences and the Rand Corporation, have concluded that this kind of restructuring is essential to provide for a more stable and coherent research agenda, to insulate research from partisan influences, and to assure that education research meets the same standards of excellence as all other types research supported by the Federal government.

The most recent support for this idea has come from two complementary studies of Federal education research completed by the National Academy of Education and the National Academy of Sciences. "Research and the Renewal of Education," the 1991 National Academy of Education study, noted that "patterns of support for research on education are episodic, buffeted by changing demands, vacillating leadership, unstable commitments, and institutional pressure" and went on to recommend: "To avoid the danger of politicization at the Federal level, a model similar to that of the National Science Foundation with a distinguished governing board is worth exploring for research on education." The 1992 National Academy of Sciences Research report, recommended that OERI be governed by a policy-making board whose membership would consist of at least one-third education researchers and a "balanced representation of practitioners, parents, employers, policy-makers, and others who have made noteworthy contributions to excellence in education".

H.R. 856 heeds the consensus call for more collegial decision-making and public participation at OERI by creating an 18-member Educational Research Policy and Priorities Board consisting of

both education researchers and representatives of teachers, parents, school administrators, and other stakeholders in the Nation's education system to guide OERI's activities. This board would have some policy-making authority, but overall its authority would be substantially less than that of the National Science Board at NSF and comparable panels at NIH.

Research priorities plan

The Educational Research Policy and Priorities Board has three essential functions in H.R. 856. First, it would be responsible for working cooperatively with the Assistant Secretary to develop a comprehensive Research Priorities Plan to end the incoherent, "flavor of the month" approach to research which has limited OERI's effectiveness for so long. This would be a long-term agenda for OERI's research and development efforts, reflecting a consensus of both educators and researchers, which would set out priorities and objectives for OERI, including areas which merit further inquiry and the most effective means of addressing them. This agenda should not simply be an aggregation of the personal preferences and ideas of the members of the Board. Rather, H.R. 856 requires the Board to develop the plan through a broadly participatory process which includes regional forums and other mechanisms for enabling the diverse constituencies of education research and development to express and exchange their points of view.

The purpose of the Research Priorities Plan is to provide a broad, long-term agenda to drive decision-making by the Congress and the Administration. The Board would not have the authority to compel the Assistant Secretary—or the Congress—to implement each and every detail of the Research Priorities Plan. The Committee expects, however, that both the Assistant Secretary and the Congress will be guided by the priorities set out in the plan. The Board is also authorized and encouraged to review, evaluate, and publicly comment upon the actions of OERI and the Congress and the extent to which they are consistent with the Research Priorities Plan.

Ultimately, the Committee believes that the power of the Research Priorities Plan to shape decision-making will depend largely upon the extent to which it reflects a real consensus among all the diverse stakeholders in educational research and development. Both the Assistant Secretary and the Congress would find it extraordinarily difficult to ignore a Research Priorities Plan which represents a true, carefully-forged consensus about where OERI's resources must be invested over the long-term. If, on the other hand, the Research Priorities Plan becomes merely a patchwork of the pet ideas of individual members of the Board, both the plan and the Board will be ignored. For this reason, outreach to and consensus-building among all of OERI's constituencies must be the Board's highest priority.

Standards for conduct and evaluation of research

A second critical function of the Board is to approve a broad set of binding quality standards to govern the conduct of research carried out by OERI. These standards, which would be developed by the Assistant Secretary, would address procedural issues only, including such matters as the process by which applications for as-

sistance are to be reviewed and how and when funded activities are to be evaluated.

The Committee is very concerned that nearly every procedure and administrative policy related to the conduct and evaluation of research funded by OERI is determined on an hoc basis, with minimal participation or input provided by the research community itself. Here again, OERI is unique among Federal research agencies. NSF, NIH, and other agencies which fund scientific research have issued detailed regulations and internal policy manuals which address these procedural issues. This haphazard, improvisational approach to research is dangerous because it creates opportunities for political mischief and manipulation and, even if these opportunities are never actually exploited, contributes to the overall impression that OERI's activities are highly politicized. Beyond this, legitimate questions have been raised about the quality and appropriateness of some of the procedures OERI has utilized over the years to evaluate and conduct research. Most recently, in its research report, the National Academy of Sciences criticized OERI's inclusion on peer review panels of individuals who did not have the appropriate expertise to evaluate the technical merit of research proposals.

H.R. 856 seeks to address this problem by directing the Assistant Secretary to develop comprehensive, permanent standards to govern the conduct and evaluation of all of the activities carried out by OERI. These standards would include requirements that peer review be utilized to evaluate all applications for assistance and all funded activities and specify the composition of peer review panels, the manner in which their members are selected, and the procedures they will follow in conducting their work. As with the Research Priorities Plan, the Committee expects that these standards will be developed through a broadly participatory process and that the Assistant Secretary will actively solicit and consider the views of the research community and other stakeholders in the system. The Assistant Secretary should also carefully review comparable standards which have been developed by the National Institutes of Health and the National Science Foundation.

The Assistant Secretary should keep the members of the Board fully informed and involved in the development of the standards. To assure that these standards represent a true consensus among the research community and are of the highest quality, H.R. 856 requires that the Board review and approve them in order for them to become final and binding upon the activities of OERI.

Review of major contract and grant solicitations

A final key function of the Board is review proposed OERI grant or contract solicitations which exceed $500,000 in any single fiscal year or total of $1,000,000 and evaluate their consistency with the Board's Research Priorities Plan. Prior to issuing an RFP or soliciting contract bids, the Assistant Secretary would be required to submit the proposal, along with an explanation of how the proposal relates to the Research Priorities Plan, for review, evaluation and comment by the Board.

The purpose of his provision is to encourage the Assistant Secretary to adhere to the Research Priorities Plan and to work closely

with the Board in making decisions about the largest expenditures of the Office. Although H.R. 856 does not require the Assistant Secretary to obtain the Board's approval before proceeding with the affected grant and contract solicitations, the Committee expects that the Assistant Secretary will give careful consideration and respond appropriately to the Board's comments. The committee also anticipates that the Congress will draw upon the Board's comments in its oversight of OERI.

The Committee notes that the Board's authority to review and comment upon large grant and contract solicitations is neither onerous nor unique when compared with the grant-making procedures of other Federal agencies engaged in research and development. The authority provided the Board in H.R. 856 is actually considerably less than that afforded comparable panels at the National Institutes of Health and the National Science Foundation. Both of those agencies require that their policy-making boards not only review major grants and contracts, but approve them as well.

Other responsibilities of the Board

The Educational Research Policy and Priorities Board is also responsible for recommending candidates for the position of Assistant Secretary to the President and candidates for the position of director of each of the research institutes to the Secretary of Education. The National Science Board currently has comparable authority, making recommendations to the President about candidates for the positions of the Director, Deputy and each of the Assistant Directors of the National Science Foundation. H.R. 856 also vests the Board with more general responsibility to oversee the management and operation of OERI and makes such recommendations as it considers appropriate to the Congress and the Secretary and Assistant Secretary.

Importance of a policy-making board at OERI

The Committee is aware that some concerns have been raised about the appropriateness and usefulness of establishing a board with even very limited policy-making authority at OERI.

Some have questioned whether such board might "micromanage" OERI and impede the effective functioning of the agency. The Committee agrees that, by its very nature, a multi-membered board is not well-suited for the task of managing an agency on a day-to-day basis. For this reason, H.R. 856 carefully limits the authority of the National Educational Research Policy and Priorities Board to providing board, long-term guidance to shape agency decision-making and priority-setting. It has no authority to involve itself in the agency's day-to-day operations.

Another concern which has been raised is that it may be inappropriate to limit the Secretary's now near-total discretion over OERI through the creation of a board with policy-making authority. The Committee believes that it is not only appropriate, it is essential. Experience has shown that the kind of collegial decision-making framework set out in the H.R. 856 is the most effective form of governance for Federal support of research and development.

During the initial Congressional consideration of legislation to establish the National Science Foundation (NSF), the Truman Ad-

ministration strenuously objected to the creation of a board with policy-making authority at NSF and insisted that the NSB be made an advisory council only. In 1947, in fact, President Truman vetoed the first NSF bill which was passed by the Congress over just this issue. Ultimately, however, some three years later, reason prevailed and President Truman accepted the concept of a policy-making board and signed the National Science Foundation Authorization Act into law.

No one today disputes the wisdom of the governance structure devised for the National Science Foundation. The outstanding performance of NSF is universally acknowledged. As an editorial in "Science" magazine noted several years ago:

> The record shows that NSF is one of the nation's most effective government agencies, untouched by major fiscal scandals, singularly free from political uses, and highly regarded by the vast majority of the scientists, engineers, and educators who have had to deal with it. Its awards are generally perceived to be honestly and wisely made.

Could anything even remotely as positive as this statement be made today about OERI? Sadly, the idea is inconceivable. Yet, it is the Committee's hope that under the governance structure set down in H.R. 856, OERI can and will begin to function in a manner which will inspire the same degree of confidence and support of both those who product education research and those who seek to use it to improve the quality of American education.

Appointment of the Board

The Educational Research Policy and Priorities Board created in H.R. 856 can only succeed if its membership is both well-qualified and broadly representative of both the producers and consumers of education research and development.

Unfortunately, the history of policy-making and advisory councils at OERI and NIE over the past two decades is not very encouraging in this regard. At no time has there been a council which met this essential dual test of appropriate expertise and representativeness. Little or no care has been taken by the President or the Secretary of both political parties to assure that such councils included representatives of the research community and the diverse constituencies which have a stake in education research and development. Incredibly, for example, not one teacher and very few education researchers have been appointed to such councils. During the 1980's, there apparently were no meaningful qualifications for appointment to such councils; the only criteria for appointment was neither knowledge nor interest in education research, but political influence. The Senate, charged with responsibility to act as "gatekeeper" and a check on the President's appointment authority, routinely confirmed each and every Presidential nominee, no matter how egregiously inappropriate or unqualified they might be. Clearly, then, if the membership of the Education Research Policy and Priorities Board is to be both qualified and representative, a new approach to its appointment must be tried.

H.R. 856 calls for the 18 members of the Board to be appointed by the Secretary within 8 separate categories, including education

researchers, teachers, and parents. The Committee expects that the Secretary will actively solicit and give due consideration to recommendations of qualified persons from professional education associations like the National Education Association and the American Association of School Administrators and other education-related organizations like the National Parent-Teachers Association and the National Association of State Boards of Education.

H.R. 856 sets our fairly specific qualification standards for the members of the Board to assure that all of its members bring to the Board's deliberations appropriate knowledge and expertise. The parent representative, for example, must be an individual with a background in promoting parental involvement in education; merely being a parent is not sufficient qualification for membership on the Board.

A different process is set out in H.R. 856 for the appointment of the 7 members of the Board who are educational reachers. These members must be individuals who command the respect of their peers and who are recognized for the quality of their work and not their political connections. It is also essential that no ideological or partisan litmus test be applied to the appointment of these members; they should represent a diversity of views and backgrounds and not merely those which are then favored by the current Administration. For this reason, H.R. 856 requires the Secretary to appoint these 7 members from among nominations made by the National Academy of Sciences and the National Academy of Education. Each of these organizations is required to submit to the Secretary not less than 5 names for each of the 7 positions on the Board. The Secretary would thus be selecting 7 individuals from among 70 nominations made by the National Academy of Sciences and the National Academy of Education. If the Secretary determined that none of the individuals nominated by either organization met the qualifications for membership on the Board, H.R. 856 authorizes the Secretary to request additional nominations.

This approach for the appointment of the researcher positions on the Board has a number of precedents in previous law. These include the procedures used to appoint the board of National Railroad Passenger Corporation, which requires the President to make appointments from among nominations made by the Railway Labor Executive Association, Governors, and others, and the appointment of the Comptroller General, who is appointed by the President from among three nominations made by the Speaker of the House, the President pro tempore of the Senate, the majority and minority leaders of the House, and others. Other examples could be cited as well.

This approach also approximates the manner in which the National Science Board is selected. Currently, the National Science Board itself takes charge of identifying potential candidates for vacancies in its membership actively soliciting nominations from over 31 scientific, engineering, and educational associations and societies. The Board then reviews the nominations it receives and identifies a list of 16 names—2 for each vacancy—which it submits to the President. Traditionally, the President selects his ultimate nominees from this list; only 6 of the 110 members of the National Science Board have not been candidates who were initially identi-

fied and endorsed by the National Science Board. Political and partisan considerations have rarely, if ever, been a factor in the appointment process. The result has been a board membership that has consistently had impeccable qualifications and has been broadly representative of the many scientific disciplines supported by the NSF.

Title III.—National Research Institutes

H.R. 856 restructures the research and development activities of the Office into research institutes focused upon the five priority areas set forth in Title I: the education of at-risk students; educational governance, policy-making, finance, and management; early childhood development and education; student achievement; postsecondary education, libraries, and lifelong learning.

Each of these institutes would undertake a balanced, comprehensive research program directed within its priority area, supporting university-based research and development centers, field-initiated research, public-private partnerships, dissertation grants, special studies, and other activities. The Research Priorities Plan developed by the Board should play a significant role in outlining the kinds of activities and research topics each institute should include as part of its portfolio.

The establishment of these institutes should not entail the creation of new layer or set of bureaucracies at the Department. The intent instead is to restructure and reorganize the existing bureaucracy. OERI is now organized functionally, (i.e., according to how funds are spent), with different units managing the research and development centers, field-initiated research and so forth. Though the establishment of institutes, H.R. 856 restructures OERI along programmatic lines (i.e., according to what is being studied), with different units focused on important, enduring issues in education. As currently, OERI would be required to expend 95 percent of its appropriation through grants and contracts, ensuring that most of its work will be conducted by researchers outside of the Department—not by a large in-house research staff.

The Committee notes that there has been some discussion of whether these programmatic divisions should be called "institutes" (as in the National Institutes of Health) or "directorates", the term used by the National Science Foundation to describe its programmatic divisions. While some would argue that there are real differences in meaning between these two terms, particularly that a "directorate" requires fewer resources than an "institute", the Committee believes that the difference is principally a semantic one. The term "institute" has been selected because its meaning is more readily and immediately understandable to the public and because it is consistent with the National Institute for Literacy created in the 102d Congress.

The establishment of an institute structure does not necessarily require a significantly larger appropriation to be successful. The National Science Foundation (NSF) and the National Institutes of Health (NIH), the Federal government's largest research agencies, both started small. The legislation establishing NIH was signed into law in 1931 by Herbert Hoover in the midst of the Depression. Its initial authorization was $75,000 ($717,000 in 1993 dollars) and

it only received an annual appropriation of about $50,000 (about $500,000 in 1993 dollars) for the rest of the decade. NIH is now a multibillion dollar agency.

Like NIH and NSF, the institute structure set out in H.R. 856 may receive modest appropriations at the outset, at least until the Congress and the public grow confident that Federal resources invested in educational research and development will be wisely and productively spent. This, however, should not deter us from making necessary structural changes at OERI. Without such reforms, the agency will never receive significantly greater resources. With such reforms, OERI will be poised to grow to provide the strong national leadership and support which the drive for educational improvement in United States now so urgently needs.

Directors

The bill directs the Assistant Secretary to appoint the Director for each of the institutes from among persons who have significant experience and expertise in the disciplines relevant to the purposes of the institute. In making such appointments, the Assistant Secretary shall consider the recommendations of the National Educational Research Policy and Priorities Board.

Research and development centers

H.R. 856 provides for the continuation of university-based research and development centers as a significant part of OERI's research program and requires that at least 30 percent of the funds available to each institute be reserved for such centers. This is a floor and not a ceiling; the Committee anticipates that each institute may need to expend considerably more than this to support centers.

Research and development centers are an essential means for conducting the kind of long-term, intensive and multidisciplinary research needed to improve the Nation's schools. While some have complained that the centers program consumes too large a share of OERI's resources, the Committee believes that the problem is more that OERI has been severely and chronically underfunded in general, not that too much has been set aside for the centers. An increase in funding is urgently required; cannibalizing the centers to pay for other kinds of research activities would be destructive and counterproductive.

H.R. 856 does make several changes in the structure of the centers program to improve its performance. In recent years, the average center award has dropped to such low levels—$861,000 in FY 1991—that it has threatened the integrity of the center concept; it is just not possible to conduct a full range of applied and basic research and development activities with the slim budgets some centers have been provided. This point was also emphasized by the National Academy of Sciences in Research and Reform. For this reason, the legislation mandates a minimum center award of $2 million annually to assure that each center has the "critical mass" necessary to function effectively.

The Academy also criticized the current 5-year competitive cycle for center awards as disruptive and urged that it be extended to 10 to 15 years or eliminated altogether. The Committee believes

that this criticism has some merit, but believes shorter-term competitive cycles can be useful in promoting high-quality performance. For this reason, H.R. 856 extends the minimum duration of a center award from 5 to 6 years, but permits the Secretary to extend the duration of an award to as long as 10 years at his or her discretion.

The Committee recommends that at least 50 per cent of the resources of a particular center should be at a single location to support a critical mass of research and development personnel who are primarily responsible for designing and executing the long-term, programmatic plan of the center. This nucleus may receive additional support for the core mission through a consortia arrangement with experts at one or more other locations.

The Committee concurs with the Academy's recommendation that OERI should significantly expand its support of basic research and believes that this expanded level of support should be concentrated within the center program. As the Academy noted:

> In 1989, OERI spent only 5.5 percent of its R&D budget on basic research; in the same year, the Agriculture research Service spent 46.6 percent on basic research, NIH spent 59.8 percent, the NSF spent 93.5 percent. Basic research explores the fundamentals of the studied phenomena, generates new views of reality, and proposes new visions of the achievable.

Field-initiated studies

The bill requires that field-initiated studies be significantly expanded by reserving 15 percent of the appropriations for each institute for such purposes.

Field-initiated research is a mechanism of choice for developing dependable knowledge that improves practice and informs policy. In most disciplines it supports development of young scholars which contributes to the infrastructure necessary for scientific endeavors. In most disciplines it generates the building blocks of knowledge that are used to develop new theories and practices.

According to the National Academy of Sciences, OERI invests much less of its R&D budget in field-initiated research than other Federal agencies with major research responsibilities. It funded only 12 new field-initiated proposals in each of the last 2 years. The lack of support for field-initiated research deprives the field of the ideas and efforts of many of the best and brightest researchers nationally. Those who are not on the winning team for a center have little opportunity for research support from OERI.

The Academy concludes, and the Committee agrees, that "without substantially enhanced programs of basic research, field-initiated research, and long-term sustained efforts, OERI will be a feeble partner in the Nation's quest for substantial educational reform."

Public-private partnerships

Legitimate criticisms have been raised about the lack of opportunities for the for-profit sector to become involved in OERI's research and development program. The Committee agrees that the talents and energies of the private sector should be more fully uti-

lized; projects like IBM's Writing to Read program and Apple's Classrooms of Tomorrow have demonstrated the important contributions the private sector can make to improve education. For this reason, H.R. 856 authorizes the award of grants to support public-private research partnerships between state or local education agencies and a private for-profit or non-profit entity. The Federal share would be limited to 50 percent of the total cost of such projects.

Minority fellowships

H.R. 856 authorizes each of the research institutes to award fellowships for graduate study in education research by qualified African-Americans, Hispanics, and other minorities. Such assistance was recommended by the National Academy of Sciences in its Research report and is necessary to begin to redress the great underrepresentation of minorities in the field of education research. At a time when the minority school population is burgeoning, the representation of minorities in education research has been declining. Between 1976 and 1986, the number of African-Americans awarded doctorate degrees in education declined by 39 percent. Today, a total of just 10 percent of the membership of the American Educational Research Association is minorities; only 4 percent are African-American and only 3 percent are Hispanic.

The present dearth of minorities in education research must be addressed because it unduly limits the Nation's knowledge base as it seeks to improve education for minority children. By virtue of their ethnicity and life experiences, minority researchers bring a new, different perspective to their work, allowing them to view and understand issues and formulate research questions in ways that non-minority researchers cannot. Expanding the number of minorities in education research will greatly improve our understanding of how best to improve the quality of education for both minority and non-minority children.

Historically underutilized researchers and institutions

H.R. 856 requires the Assistant Secretary to establish and maintain targeted initiatives to increase participation in OERI's activities by groups of researchers and institutions which have been historically underutilized in Federal educational research. This includes African-American, Hispanic, Native American, and other minority researchers, historically black colleges and universities, and higher educational institutions located in rural areas. Such initiatives are necessary to assure that research funds are awarded fairly and equitably and to prevent the development of an "old boys' network" which monopolizes OERI resources. Each of these groups and sets of institutions also bring a unique perspective and background to their work which can strengthen and deepen our knowledge about education.

Both the National Science Foundation and the National Institutes of Health administer programs and initiatives upon which OERI should model its implementation of this provision. Through its Experimental Program to Stimulate Competitive Research, NSF awarded planning grants to state-wide consortia of scientists in those states which ranked lowest in R & D funding to help them

improve their ability to compete for research funding in the future. Similar kinds of support have been provided by both NSF and NIH to enhance the competitiveness and capabilities of minority and women researchers and minority-serving institutions. Both agencies have created separate programs to support research by young or new investigators. NSF also considers geographic balance and minority representation in awarding some research grants.

The National Institute for the Education of At-Risk Students

H.R. 856 establishes an Institute for the Education of At-Risk Students.

This institute will oversee and coordinate a systematic and sustained campaign to generate the knowledge needed to effectively educate at-risk students whose needs are not being met by our current system of education. Although the mission statement for the National Institute for Education and the Office of Educational Research and Improvement emphasizes that the promotion of educational equity is a central purpose for which these entities were established, the administrators of those entities have never followed through on that promise. Research focusing on the needs of at-risk students has only sporadically been a priority, and even then, has only been undertaken on a small and limited scale. The Nation can no longer afford such neglect and inattention.

The Charles Stewart Mott Foundation study "America's Shame, America's Hope" succinctly summarized the problem our Nation faces:

> A crisis exists in the back rows of America's public school classrooms * * * The crisis is the undereducation of a body of students presently constituting one in three in our classrooms, growing each year as a proportion of our educable young. Dominant in this body are the children of poverty—economicially, culturally, racially, and ethnically disadvantaged. They have come to be called youth "at risk" because they are at risk of emerging from school unprepared for further education or the kind of work there is to do. Often they are ready only for lives of alienation and dependency.

Kenneth Clark has remarked that at-risk youth are perceived and treated by our society and system of education as if they were "expendable". That surely is a foolishly destructive illusion: if it were ever true, it is true no longer. The Committee for Economic Development noted in "Children In Need" that:

> This nation cannot continue to compete and prosper in the global arena when more than one-fifth of our children live in poverty and a third grow up in ignorance. And if the nation cannot compete, it cannot lead. If we continue to squander the talents of millions of our children. America will become a nation of limited human potential. It would be tragic if we allow this to happen. America must become a land of opportunity—for every child.

The National Institute for the Education of At-Risk Students will provide the leadership and scholarship necessary to reform our sys-

tem of education so that it fully develops and enhances the talents and energies of every child. It will carry out a comprehensive agenda of basic and applied research and development, drawing fully upon all available and viable approaches to generating useful knowledge, including university-based research and development centers, field-initiated research, dissertation grants, and public-private partnerships.

What is envisioned is an effort to improve education for at-risk students which is as fully comprehensive and intensive as the manner in which the medical profession responds to illness and disease. Just as the medical profession approaches an epidemic by simultaneously developing drugs, equipment, devices, and protocols, the Institute should seek to utilize and effectively integrate multiple approaches to improving the education of at-risk students.

To borrow the language of the medical profession, what educational protocol can be devised to address the short attention spans of some students which impede learning and contribute to discipline problems in the classroom? How can technology be used to more fully engage these children in learning? What are other practices and approaches that might be used?

The gaps in our knowledge base in the area of educating at-risk students are considerable. The Committee expects that the Institute will also initiate research and development in the following areas:

School organization for student diversity

At-risk students often lose out in educational opportunities because their prior preparations are below average and schools are poorly organized to deal positively with student diversity. Research and development is needed on alternative ways to organize schools to meet the demands created by student diversity, including novel approaches to grouping, scheduling, and school staffing.

Flexible and effective use of human and technological resources

The challenge of serving the individual needs of at-risk students calls for developing new ways of using different combinations of human and technological resources to support learning. Research and development is needed to assess the effectiveness of supplementing the efforts of full-time teachers with specific uses of teaching aides, peer tutors, or adult volunteers from local colleges and communities. Methods for realizing the true learning potential of various emerging technologies need to be developed and evaluated, and specific learning activities need to be designed to make technology a more effective tool for professional educators.

New teacher and student roles in school learning communities

At-risk students are especially likely to attend large, departmentalized schools with traditional classrooms that produce alienation and negative climates. Research and development is needed on alternative staffing and evaluation structures and on new teacher and student roles that can create a positive human learning community for at-risk students.

Effective schools for limited English proficient students

A major continuing program of research and development is called for in order to create effective learning environments at each stage of human development for students whose first language is not English. Basic research is needed on second language learning at different ages and on the effects of home environments.

Preparation for our pluralistic society

Most American students do not attend schools with desegregated enrollments and do not share classes or extracurricular activities with students outside of their own race or ethnic group. Research and development projects are needed to evaluate approaches to increase the opportunities for desegregated schooling, such as magnet schools and voluntary cross-district transfers.

Improvements in local and Federal programs of assistance to disadvantaged students

Research and development can help improve the large programs that provide assistance to disadvantaged students, such as Chapter 1 and special education, by addressing key underlying policy questions and evaluating the strengths and weaknesses of current operations. Special education programs also deserve to be reexamined as a prime source of extra help for very low-achieving students classified as learning disabled, in comparison to alternative approaches that require less extensive diagnoses, less diversion of district resources, and less permanent labeling of the student.

Family and community connections

Involvement of home and community resources is now greatly underutilized by most schools serving at-risk students, despite the fact that family and community institutions seem willing to work with schools to improve student learning. Research and development is needed to initiate practical ways to draw parents and community volunteers into each of the main functions of schools, including student learning activities, and to sustain various home and community connections.

School-to-work transitions

American education does very little to assist in the tradition from school to work for at-risk students who wish to begin full-time employment directly after high school. Research and development is needed to experiment with and evaluate current ideas for integrating academic and vocational experiences in high school and for making school behaviors such as good school attendance, good grades and leadership in school activities count in the hiring process. Also needed are scientific evaluations of alternative schools that seek to reduce the dropout rate by using flexible schedules that allow for paid unemployment and other arrangements that adapt the school experience to meet other major student family or personal responsibilities.

Estimating resources and costs of specific school improvements

We need to move beyond the frequent political arguments of whether or not school reform for at-risk populations can be accomplished by major rearrangements of current resources without significant cost increments, to careful estimates of what specific school reforms actually entail in terms of initial and/or continuing costs. Knowledge of what school improvements work best for at-risk students of different ages needs to be accompanied by studies of the costs associated with effective programs.

In order to carry out successfully this research and development agenda, the Institute must seek and attract top scholars with experience and expertise in the education of at-risk students. It should also establish special relationships with predominately minority higher education institutions, rural-focused colleges and universities, and institutions specializing in bilingual education.

The Committee recognizes that the unique needs of Indian and Alaska Native students have not been addressed adequately by OERI in the past. This is true, at least in part, because the Indian and Alaska Native communities have not had a substantial opportunity to design and direct the needed research.

For this reason, H.R. 856 requires the Institute for the Education of At-Risk Students to undertake comprehensive research and development activities which specifically address the educational needs of Indian and Alaska Native students. The bill requires that these activities be developed and carried out in close consultation with Indian and Alaska Native researchers and educators, tribally controlled community colleges, tribal departments of education, and others with expertise in the needs of Indian and Alaska Native students.

The Indian and Alaska Native student population is extremely diverse culturally, linguistically and geographically. There are 500 distinct federally-recognized Indian and Alaska tribes with their own systems of government. The 1990 Census lists 1270 Native languages spoken in the United States.

Most Indian and Alaska Native children who are enrolled in school attend public school located on and off Indian reservations. About 11% attend schools funded by the Bureau of Indian Affairs (BIA) of the Department of Interior. Non-school attendance is a sizable problem: the Department of Education's 1991 Task Force Report "Indian Nations At Risk: A Strategy for Action" reported that Native Americans had the highest dropout rate for the 10th graders of all ethnic groups—36%. Moreover, this extraordinarily high rate does not take into account the number of Indian and Alaska Native children who do not enroll in school at all, a matter on which little statistical information exists.

Of the 184 BIA-system schools, nearly one-half are administered by Tribes under contractual arrangements with the BIA; the others are operated directly by the BIA with federal employees. Approximately one-half of all Indian and Alaska Native people live in what is termed "Indian Country"; the rest live in predominantly non-Indian rural and urban areas.

A huge proportion of Indian and Alaska Native students live in poverty. The 1990 Census reports that 50.7 percent of Indian peo-

ple on reservations were officially classified as at or below the poverty line. All children in the BIA-funded school system are designated as economically and educationally disadvantaged and thus qualify for assistance under the Chapter 1 program. Indian reservations also have extremely high levels of unemployment, reaching as high as 85 percent on some reservations.

As it seeks to respond to the dramatic needs of Indian and Alaska Native students, the Institute should draw heavily upon the resources of tribally controlled colleges. These colleges, which are tribally-chartered, reservation-based, and heavily-involved in their communities, have been making a critical contribution to the improvement of Indian and Alaska Native education. The employment rate for tribal college graduates is much higher than for the rest of the Indian population. Indian students can earn 4-year degrees from some tribal colleges. For others who complete 2-year tribal college programs and then go on to 4-year non-Indian institutions, the graduation rate is astoundingly high and a stark contrast to the far lower college completion rate nationally for Indian and Alaska Native students. These colleges are a resource for studying successful educational strategies and repository of scholarship on Indian educational needs.

The Committee strongly encourages the Institute to establish a research and development center focused on the needs for Indian and Alaska Native students. In order to be successful, such a center should be led by a board comprised of Indians and Alaska Natives. The establishment of such a center was a key recommendation of the Department of Education's "Indian Nations At Risk" Task Force and the 1992 White House Conference on Indian Education.

Former Secretary of Education Terrel Bell, who was responsible for the publication of the influential "A Nation At Risk" report, has observed that the national school reform movement has only benefitted 70 per cent of the nation's students. "The other 30 per cent are low-income, minority students and we are still not effectively educating them", he has commented. The institute for the Education of At-Risk Students will redress that destructive neglect, acting as an engine for the reform of the education of these forgotten students. If fully funded and effectively administered, the Institute will provide research-based leadership to light the way down a corridor that has remained dark and unexplored for too long.

National Institute for Innovation in Educational Governance, Finance and Management

The National Institute for Innovation in Educational Governance, Finance, and Management is established to undertake a coordinated and comprehensive program of research and development to identify, develop, and evaluate approaches to governance and management at the State, local, school-building, and classroom levels which promise to improve educational equity and excellence. Such approaches include open enrollment programs and magnet schools, the provision of performance-based financial awards and other incentives to improve student achievement, school-based management, the restructuring of school finance systems, increasing the role of teachers in policy-making and administration of

schools, expanding the involvement of parents and families in the management and governance of schools, and initiatives designed to increase the representation of women and minorities in educational leadership and management positions.

In recent years, there has been an extraordinary public debate about alternative approaches to governing and managing our schools. Unfortunately, however, this debate has tended to be more heated than enlightened because the research base in this area is so embarrassingly meager. Anecdotes and ideology, not research-based knowledge, have informed the substance of the debate.

Writing about the explosive issue of school choice in "Choice and Control in American Education", Andrew Porter, a choice proponent, noted that:

> At present, we are not sure what choice means, and we surely do not know its effects. This lack of knowledge should not be taken as a reason to stop experimenting with choice; just the opposite is true. We should be experimenting with choice and carefully documenting the nature of the experimentation and the effects * * * When the heat of the current reform cools and when politicians and policymakers have become intrigued with some other educational innovation, only what has proven useful from our experimentation with choice will remain. Scattered anecdotes of success, ungrounded in theory and untied to successful teaching and learning, will leave no trace.

Porter's comments are about choice, but they have relevance for virtually every innovative approach to governance now being widely discussed and debated, including deregulation and school-based management. Much too little is now known about the effects and implications of these approaches on student learning and performance. Carefully-controlled experimentation and scientifically-based research and development focusing on a full range of alternative approaches is urgently needed to inform the public debate about school governance.

The Institute's research program will also help us to better understand the possible limitations of governance-based solutions to the problems facing American education. The allure of choice, school-based management and other innovative approaches to governance is that they appear to be essentially cost-free and are based on the assumption that our schools and teachers have all the resources and knowledge they need to succeed. They already know what to do and have the means to do it: they just need to be left alone to do it (school-based management) or compelled to do it by market forces (choice). New governance structures are too frequently perceived today as a kind of "magic bullet" for education. A fuller and sustained program of research will help us to identify the extent to which governance structures truly can help to boost achievement and learning, and the extent to which they cannot.

The Institute should make the issue of school finance a central part of its research agenda, identifying and analyzing the impact of inequities on intrastate and intradistrict school finance systems on student learning and developing alternative, fairer approaches to financing schools. In his book "Savage Inequalities," Jonathan

Kozol has graphically cataloged the daily atrocities committed against the children who must attend schools which are starved of basic resources: classes conducted in closets; hallways flooded with raw sewage; science labs without equipment; locker rooms without shower facilities; history textbooks two-decades old; inadequately trained teachers; unheated, dirty classrooms. The list of abuses perpetrated against children condemned to these Third World-class schools is literally endless. Unless these inequities are addressed, "restructuring" and "reform" will, as Kozol put it, amount to "very little more than moving around the same old furniture within the house of poverty".

Yet it is for the sake of all of our children, and not just those who attend these American-style bantu schools, that school finance must command our attention. Education journalist Anne C. Lewis has written that:

> One of the governors most prominent in the effort on a national goals has commented that is absurd to promote education as our greatest priority, then to continue to finance it on the least substantive and most volatile tax base we have—property taxes. The problem is more than one of basic inequities. It is one of allowing the financing of schools to be vulnerable to extreme local and regional economic swings—and swings in public moods—that produce constant instability * * * Even the most affluent school districts are not immune from efforts to spread too few resources around. It should embarrass a society proud of its leadership and convinced that it is child-centered that the United States turns to lotteries or state takeovers to keep our schools running.

By undertaking a comprehensive program of research and development which addresses school finance and the wide range of innovative approaches to school governance and management, the Institute for Innovation in Educational Governance, Finance, and Management will provide the Nation with the research-based leadership it needs to effectively utilize management and governance reform to improve education for all students. Scientific knowledge, not anecdotes, not ideological cant, and not sloganeering, must drive our Nation's decision-making about the governance, management, and financing of our schools.

National Institute for Early Childhood Development and Education

The National Institute for Early Childhood Development and Education is authorized to develop policies and practices which include (1) the role of parents and the community, and the training and preparation of teachers and other professionals or paraprofessional preschool and child care workers in the social and educational development of infants, toddlers, and preschool children, and (2) approaches which sustain the benefits of effective preschool and child care programs.

The new Institute will be critically concerned with research and development capable of responding to the needs of early intervention for disadvantaged children, at-risk children, children with dis-

abilities. It must also ensure that its research and development program provides information that can be utilized in improving the major Federally funded early childhood education programs, including Head Start, Even Start, Chapter I preschool programs, and Part H of the Individuals with Disabilities Education Act (IDEA).

Dr. Tom Schultz, Director of Early Childhood Services at the National Association of State Boards of Education of Education, testifying before the Subcommittee on Select Education and Civil Rights on March 17, 1992 stated:

> The strength [of the Institute] * * * is its potential to broaden OERI's constituency. For example, [it] could provide useful leadership for a growing field of scholarship and services. While expansion of early childhood programs has been driven by a few notable evaluation studies, there has been little Federal support for research on early childhood and family policy issues, nor on the processes of learning and development in young children. Studies are being funded by foundations and different Federal agencies without an overall agenda or means to cumulate or synthesize findings on key questions. * * * Thus an Institute in this area would provide a focal point for scholarship and an outreach to a substantial new audience for OERI.

According to the National Commission on Children, only a fraction of children who would benefit most from high quality early childhood programs have access to Head Start and other community-based initiatives. Despite the importance of preschool learning and socialization for school readiness and later school success, only 20 percent of those eligible for Head Start are served.

The National Research Council Report, "Who Cares for America's Children? Child Care Policy for the 1990's," confirms that linkages between own-group cultural identity and academic competency have been found for minority children in the United States, as well as in other countries. The Council calls for research on approaches that "affirm children's cultural identities in relationship to child development." It is the opinion of the Committee that the significance of multicultural approaches to the success of many Head Start programs should be more adequately researched.

Other pressing research includes developing model programs for the escalating numbers of crack- or other drug-addicted babies who may be developmentally impaired and the 1 in 5 children who have developmental, learning, and behavioral disorders who are identified through the Preschool and Early Intervention programs of the IDEA (formerly the Education of the Handicapped Act).

The Committee also encourages the institute to address issues related to playground safety. In 1990, the Consumer Products Safety Commission (CPSC) published new guidelines for playground safety. The effectiveness of these guidelines and other approaches to improving playground and recreational safety for children should be studied by OERI.

National Institute on Student Achievement

During the past 20 years, relatively little has changed in how students are taught. Despite an abundance of research suggesting alternatives, classrooms are still dominated by textbooks and teacher lectures. Despite some progress, the differences in performance between white students and their minority counterparts remain unacceptably large. Gender gaps in mathematics and science also remain at high levels.

The National Institute on Student Achievement is established to develop a coordinated and comprehensive program of research and development to improve student achievement in English, mathematics, science, history, geography, and other subject areas by identifying, developing, and evaluating: (1) innovative and exemplary methods of instruction and classroom through research on various pedagogies, methods of teacher preparation, methods of instruction delivery, and student learning; and (2) programs designed to enhance academic achievement and narrow racial and gender performance gaps, including research and development on involving parents in their children's education.

It is imperative that the work of the institute be driven by a stable, coherent, and long-term agenda which recognizes what research and development can and cannot contribute to the school improvement movement and which includes a substantial commitment to basic research. The effectiveness of past Federal support for education research has been severely limited by a tendency toward faddishness and an impatient preoccupation with identifying simple solutions to the extraordinarily complex problems that beset American education. The National Academy of Sciences points out in "Research and Reform" that:

> Much of the public discussion of education research has a distinctly utilitarian cast: it assumes that researchers, conduct studies, their findings are translated into products or programs for use in the schools, and education is improved. This view is at once too narrow and too grandiose. It implies that the only valuable research is research that can be directly translated into classroom practice, a view that given short shrift to much research. And it encourages unrealistic expectations about what research can—or should be able to—accomplish.
>
> The effects of research on educational practice are seldom straightforward and quick. As in other fields, there are few definitive studies, but rather a gradual accretion of knowledge drawn from overlapping studies in many fields of study, conducted over a long period of time, punctuated by an occasional breakthrough.

The Committee also wishes to emphasize that the mission of the Institute is far broader than to simply identify discrete practices and programs which are effective. School improvement requires more than amalgamating and implementing a set of effective practices and programs; "the main task of reform," the Academy noted, "is not to install new practices in schools the way one would install appliances." There are an abundance of effective individual model programs in education; there are precious few, if any, successful

model systems of education. The institute must focus on how to promote and enable system-wide reform in our schools which improves education for all students in all schools.

Research on assessment

H.R. 856 directs the Institute on Student Achievement to support a comprehensive, coordinated program of research and development in the area of assessment. In carrying out such a program, the Committee believes that it is essential that the Institute support at least one research and development center focused on assessment issues in order to assure that there is a critical mass of concentrated research and development effort in this area.

A significant part of this research effort should be centered upon designing and developing, and testing innovative, alternative approaches to assessment, particularly "authentic" or performance-based assessments, which can improve instruction and learning in the classroom. Most assessment instruments administered in our schools today do not meet this criterion; they impede and distort learning instead of enhancing it.

Research Linda Darling-Hammond has cogently explained the problem:

> In contrast to testing in most other countries, American testing is dominated by norm-referenced, multiple-choice instruments designed to rank students cheaply and efficiently. These instruments were initially created to make tracking and sorting of students more efficient; they were not designed to support or enhance instruction. Because of the way the tests are constructed, they exclude a great many kinds of knowledge and types of performance we expect from students, placing test-takers in a passive, reactive role, rather than one which engages their capacities to think critically, structure tasks, produce ideas, and solve problems.
>
> These shortcomings of American tests have become more problematic as test scores have been used to make important educational decisions. As schools have begun to "teach to the tests", the scores have become ever-poorer assessments of students' overall abilities. This is because classwork oriented toward recognizing the answers to multiple-choice questions does not heighten students' proficiency in aspects of the subjects which are not tested, such as analysis, complex problem-solving, and written and oral expression. Many studies have found that because of classroom emphasis on multiple-choice basic skills tests, American students * * * rarely plan or initiate anything, create their own products, read or write anything substantial, engage in analytic discussions or undertake projects requiring research, invention, or problem-solving.

Performance-based assessments, which include essay examinations, research projects, scientific experiments, and portfolios of student work, require students to think analytically and use the kind of higher-order skills and abilities they will need to succeed in today's world. These types of assessments can both more accu-

rately measure the knowledge and achievement of students and can be better used to support instruction and learning in the classroom. Assessment can become an integral part of regular instruction, not something that disrupts or detracts from it.

Although substantial research and development has already been done to develop and expand the use of performance-based assessments in schools, much remains to be done. Very little is known about the validity, reliability and generalizability of the results of such instruments, the costs of implementing performance-based assessments on a large scale, or the implications of using such instruments for high-stakes uses.

The National Institute for Postsecondary Education, Libraries and Lifelong Education

Subsection (h) of Section 405B establishes a National Institute for Postsecondary Education, Libraries, and Lifelong Learning.

There are a number of other Federal agencies and entities which support research which is relevant to the purposes of this institute, including the Departments of Justice, Health and Human Services, and Labor, and within the Department of Education itself, the Offices of Postsecondary Education, Library Programs, and Adult Education. The Committee finds, however, that the knowledge base generated by these efforts is insufficient and that a more intensive and comprehensive approach to supporting research related to adult learning, including literacy, is needed.

To assure that the research efforts of these other entities are complemented and not duplicated by the institute, however, H.R. 856 encourages the institute to collaborate with and jointly fund research activities with these entities. When acting alone, the institute could only undertake research and development in those areas which were not being sufficiently addressed by other Federal entities.

In the area of postsecondary education, there is an abundance of potential research topics for the institute to explore. These include financial barriers to access to higher education and the role of Federal and other government programs in easing those barriers and approaches to addressing the special education and support needs of minorities, women and older adults in postsecondary education. The Committee expects that the institute will also support a full range of research activities aimed at improving the quality of postsecondary education generally and reducing its ever-burgeoning costs. These are critical issues which the Department has tended to slight in recent years with its near-exclusive focus on elementary and secondary education.

The Institute should also support research and development in an area which has historically received scant attention at OERI and its precursor NIE: expanding access to and improving the quality of the education provided to the more than one million men and women incarcerated in America's jails, prisons, and other correctional facilities.

Addressing the often dramatic educational needs of this large and growing population of Americans must command greater attention because most of those who are now incarcerated will one day be released. Some 90 percent of the men and women who are in

prison today will be released by the end of this decade. Every study which has examined the impact of correctional education has consistently found that it reduces recidivism.

Unfortunately, the severe educational needs of this burgeoning inmate population are not now being adequately addressed by the Federal, state and local correctional systems. Nationwide, currently only an estimated 20 percent of the inmate population participates in any educational or vocational program. Even when educational programs may be available in correctional institutions, they still may not adequately meet the needs of inmates. Described as the "the most comprehensive examination of State- and Federally-funded education programs in correctional institutions", the National Evaluation of Title I Programs in State Institutions for the Neglected or Delinquent conducted by the U.S. Department of Education between 1975 and 1980 found myriad problems with the quality and effectiveness of correctional education services. Students "were found to fail to measurably gain from participation in correctional education programs, they failed to attain a level of proficiency to acquire a GED, and they either did not enter school upon their release, or soon dropped out".

There is a great deal of research to be done. As is the case with adult education generally, very little empirical research has been undertaken which specifically addresses education in the correctional setting. The teaching strategies which predominate in correctional education today have been derived largely from practices developed more than a decade ago for the instruction of educationally disadvantaged elementary school students. These practices include the use of curricula driven by a rigid sequencing which requires the attainment of basic skills prior to the development of higher-order skills, the use of teacher-controlled instruction almost exclusively, and an emphasis on rote memorization and drill and practice exercises. This approach is now widely considered to be ineffective in educating disadvantaged youngsters at the elementary and secondary level and its effectiveness with adult learners, much less adult prison inmates, is even more dubious. New and more effective approaches must be developed in which the instruction is more interactive and the curriculum integrates the attainment of basic and higher-order skills and provides a clear, real-world context for the development and use of these skills.

The development of these new instructional approaches should be sensitive to the particular demands and constraints of education in the correctional setting. It must take into account, for example, that the physical facilities in correctional institutions were designed with security and not education in mind and may therefore pose some special difficulties for the correctional educator. It should also place a priority on identifying effective strategies for accelerated instruction to assure that services can be provided to those who are imprisoned for a relatively brief period of time. Too often, these prisoners are overlooked completely in designing and implementing educational programs. Given that the average duration of incarceration for juveniles is 4 to 7 months and 20 months for adults, research on and development of methods of accelerated instruction must be a priority.

Another critical area of concentration should be the identification and development of effective training materials for correctional education personnel. The need is particularly acute for inservice training materials as many correctional education personnel have not received any specialize training in working with the incarcerated prior to their employment. Moreover, they generally lack the same kind of opportunities for professional development and inservice training which are available to teachers and other personnel in the public school system.

In the area of library services, the institute should work closely with the Office of Library Programs (OLP) to develop and jointly fund a comprehensive research agenda. The nucleus of such an initiative has been developed by OLP through its "Rethinking the Library in the Information Age" project, which identified some 130 questions in 10 key issue areas which required further research. That project concluded that there was a need to reconfigure OLP's role away from the present piecemeal and passive approach of annually awarding a few modest grants to support small, discrete research projects toward a more comprehensive, catalytic approach of providing the core support needed to develop and sustain the research infrastructure that is now lacking in the field. The institute must work with OLP to put in place this new approach to Federal support for research in library and information science.

The Committee has authorized the Institute to include research on literacy as part of its research activities. However, the Committee believes strongly that the National Institute for Literacy, created by the National Literacy Act, should continue to be the major focal point for research, development, and dissemination on literacy. In fact, the Committee assumes that any research on literacy carried out by OERI will be done in close consultation and coordination with the Literacy Institute.

Coordination of research on cross-cutting issues

The Committee recognizes that there are a number of issues and areas of inquiry which are relevant to the purposes of more than one of the institutes. All of the institutes, for example, are likely to include some research on teacher training, assessment, and educational technology as part of their greater research program. For this reason, H.R. 856 requires the Assistant Secretary to take responsibility for coordinating the work of the institutes on these cross-cutting issues in order to assure that the institutes' efforts complement and do not duplicate each other and that every pertinent aspect of a cross-cutting issue is fully explored by OERI.

Program on teaching and teacher education

The Committee intends that all Institutes work together on cross-cutting issues. Four of the five Institutes have missions that address teaching and teacher education, thus making it is necessary for the Assistant Secretary to develop a comprehensive, coordinated program of research in these areas, to be addressed, not only by the Institutes, but by the National Research and Development Centers and field-initiated studies.

To this end, the Committee has identified a need for research in these areas which should include, but not be limited to: effective

teaching skills for the preparation and continuing education of teachers; the use of technology for teacher educators and classroom teachers; the development and appraisal of curriculum and materials for the initial and continuing education of teachers and teacher educators; and strengthening the evaluation and dissemination of information on programs for continuing professional education and renewal of those who educate teacher for initial or advanced licensure or certification.

Reasearch on educational technology

Subsection (I) of Section 405B requires OERI to support a comprehensive program of research and development on the uses and applications of technology in education. Such research is to be carried by each of the Institutes and through research and development activities which are jointly funded by each of the Institutes.

Technology offers boundless new opportunities to improve and enrich American education which OERI must fully explore and exploit through a sustained And significant program of research and development. Unfortunately, in the past, OERI's investment in technology-related research has whipsawed with each major shift in top personnel at the Department of Education, rising to significant levels when the particular Secretary and the Assistant Secretary were interested in the issue and dropping to negligible levels when they were not. Subsection (I) will assure that technology-related research is made a consistent priority at OERI and end this destructive confusion and instability.

In its report, "Power On!," the Office of Technology Assessment emphasized why a consistent Federal commitment to technology-related research and development is so important:

> OTA concludes that increased coordinated support for R & D in educational technology is necessary. Significant improvements in education can be made if sustained support is made available for the development of new tools for teaching and learning. The private sector, while a contributor to this effort, does not have a primary responsibility of appropriate vision for making this a priority. States and localities do not have the capacity. The magnitude of the challenge facing education, allied with the potential offered by new interactive learning technologies, requires that the Federal Government accept this responsibility and opportunity for leadership.

Indiana University's Center for Excellence in Education was established by a joint Federal, state, and private sector launched in 1982 with the mission to strengthen the role of technology in education. The Center, which has hosted more than 3000 visitors since its opening, conducts planning seminars for schools and colleges, as well as individual teachers and school administrators, to help them make better use of current technology and make more informed decisions about future technology acquisition. The Center also develops new forms of institutional materials to fully utilize educational technology at all levels of education. In carrying out both its research and dissemination activities, OERI should take advantage of the Center's work and expertise on educational technology issues.

Title IV—National Education Dissemination System Office of Reform Assistance and Dissemination

Section 405C establishes an Office of Reform Assistance and Dissemination to carry out a broad range of dissemination and technical assistance activities to support reform and school improvement efforts undertaken by local education agencies, teachers, school administrators, policy-makes, parents and others. The Office would re responsible for administering the ERIC system, the network of regional laboratories, the National Diffusion Network, SMARTLINE, the Teacher Research Dissemination Network, the Goals 2000 Community Partnerships program, and other related programs and activities.

One critical reason for the persistently weak link between education research and practice is that there has been no single entity within OERI which is centrally responsible for directing the dissemination of the knowledge generated by the Office and improving its utilization by educators parents, and others. Each individual research and development center, for example, is responsible for disseminating and marketing its research and resources within the education community. This diffusion of responsibility has resulted in wasteful redundancies in some areas and little or no activity in others. H.R. 856 seeks to end this inefficient, scattershot approach by consolidating authority over dissemination in one single location within OERI.

H.R. 856 also seeks to improve the utilization of research by practitioners by taking multiple, complementary approaches to dissemination and technical assistance: a full range of activities are to be carried out by the Office of Reform Assistance and Dissemination. As the National Academy of Sciences pointed out in its Research report, the weak link between research and practice is both a supply-side problem, stemming in part from the quality, format, and orientation of the research supplied by researchers, and a demand-side problem, stemming from the failure of educators to seek out and use research-based knowledge more systematically in practice. Strengthening the link between research and practice, therefore, can only be achieved through a number of different approaches. No one "magic bullet" can be expected to do the job.

The Committee wants to emphasize that in order for this legislation to be successfully implemented at the state and local levels, state policymakers, especially the state legislatures, must be involved. The Committee urges OERI and the Office of Reform Assistance and Dissemination to utilize organizations such as the National Conference of State Legislatures which are uniquely positioned to provide the necessary technical assistance and supportive services to state legislative leaders to help them implement state legislation which complements this Federal effort.

Identification and designation of exemplary and promising programs

Subsections (c) and (d) of Section 405C seek to deepen, expand and enrich the knowledge base available to support state and local reform efforts by requiring the Dissemination Office to undertake an aggressive effort to identify and validate effective educational programs, policies, and practices, and products.

This effort would be distinct from the complementary to the activities of the existing National Diffusion Network. Under NDN now, individuals who have developed an educational program they believe to be effective submit a 15-page description of their program along with statistical evidence of its effectiveness to the Department of Education's Program Effectiveness Panel (PEP) for review. If the PEP concludes that there is sufficient evidence to support the developer's claims, the program is validated as "exemplary" for a period of six years.

The developers of validated programs are then eligible to receive NDN "Developer-Demonstrator" grants to enable them to provide training, materials, and technical assistance to others interested in adopting their program. Not all services provided by Developer-Demonstrators are free; they can and do charge for curriculum materials and some of the training they provide. NDN also supports "facilitators" in every state, often in State Departments of Education, who promote awareness of the programs available in NDN and assist with the adoption of NDN programs within the state. Although the Department itself does not publish and disseminate a list of NDN's programs, a private company does publish such a catalog (Educational Programs That Work) which is available for sale to the public.

There are 440 programs listed in the most recent education of "Educational Programs That Work." Of these:

192 are "inactive" and do not currently have services available to support the adoption of the program at other sites

109 are validated "active projects"

138 are "active projects" which have not been revalidated

In 1989, 27 new programs were submitted to the PEP for approval and 14 were validated. In 1990, 24 programs were submitted and 13 were validated.

The activities authorized in H.R. 856 differ from those carried out through NDN in three fundamental ways.

First, H.R. 856 establishes an assertive process of identification in contrast to the process used by NDN. The burden is placed upon the Department of Education to seek out and validate successful policies and programs; it does not depend upon the actual developers of programs to learn evaluation methodology, prepare the necessary paperwork, and shepherd their program through the PEP process. The Department of Education is charged with taking the lead and assertively sifting through and evaluating the research base for effective practices.

A second difference is the criterion used to evaluate and validate programs. H.R. 856 provides for the designation of programs by specialist panels in two categories: exemplary and promising. In order for a program to be designated as exemplary, there must be a clear body of empirical evidence which definitely establishes its effectiveness; this evidence may include but could not be limited to test results. The Committee anticipates that only a small core of programs will be able to pass such a stringent test. In order for a program to be designated as promising, there must be extensive, albeit not conclusive, empirical evidence of its effectiveness which is a panel of appropriately qualified experts considers to be compel-

ling and convincing. A much larger pool of programs is likely to be validated as promising under this criterion.

The initiative authorized in H.R. 856 also differs from NDN in that it encompasses a broader universe than simply educational programs. The identification and validation process would extend beyond programs to include as well educational policies (specific plans of action aimed at accomplishing certain organizational goals), practices (behaviors or instructional management principles used in classrooms or other educational settings), products (materials such as textbooks, computer hardware and software, and video and audio tapes), and research findings. All of the knowledge generated by the Nation's investment in educational research and development would be fully mined and put to work to support educational reform and improvement.

ERIC clearinghouses

H.R. 856 reauthorizes the Educational Resources Informational Center (ERIC). First established in 1966, ERIC is a nationwide information network designed to provide users with ready access to educational literature. ERIC has become the world's largest and best-known educational database, with over 725,000 records of documents and journal articles. It serves as a resource for educators, scholars, and an entire spectrum of persons interested in education—from the technical researcher to the concerned parent.

ERIC is a unique database emulated and replicated by other nations. Although ERIC is a relatively small component within the education research and development infrastructure, it has a significant role to play in the development of an improved educational system. With nearly three million users annually, providing nearly equal amount of information to students at colleges and universities, as well as to teachers, trainers, and counsellors, ERIC is at the vanguard of positive change within our eductional system.

The legislation stipulates that there should continue to be 16 ERIC Clearinghouses with the same scope and functions as they have currently. This provision is necessary to maintain the stability of a system which, by all accounts, has worked very well. This requirement should not be interpreted to mean, however, that OERI should not continue to evaluate the scope and functions of the clearinghouses and consider alternatives for restructuring and expanding the system to better meet the needs of ERIC's users. The Committee encourages this kind of ongoing review and looks forward to working with OERI as part of this process.

In addition to these 16 clearinghouses, there are five adjunct clearinghouses, funded from corporate, foundation, and institutional sources. They are:

Adjunct ERIC Clearinghouse for Consumer Education

Ajdunct ERIC Clearinghouse for Art Education

Ajdunct ERIC Clearinghouse for United States-Japan Studies

Ajdunct ERIC Clearinghouse for Chapter 1 Compensatory Education

Ajdunct ERIC Clearinghouse for Literacy Education for Limited English Language Proficient Adults.

The Committee recommends that these five adjunct clearinghouses be provided with partial Federal support should appropriations for the clearinghouses be sufficiently increased.

H.R. 856 also includes two provisions which are designed to assure that the information provided through ERIC is fully comprehensive. The first requires that all reports, documents, and publications produced with assistance from the Department be made available to the ERIC Clearinghouses. Testifying before the Subcommittee on Select Education and Civil Rights in 1988, Judi Conrad, Chair of the ERIC Directors, expressed concern that the ERIC system continued to have great difficulties in acquiring publications produced by Department contractors and grantees, including the research and development centers and the regional laboratories. She noted that the Department had recently allocated additional staff time for the purpose, but that the allotted staff time was still less than had been allotted previously under the National Institute of Education. The Committee expects that the Secretary will provide sufficient staff resources to assuring that ERIC has access to Department-assisted publications, but does not believe it should be the sole responsibility of the Department to hunt down and acquire documents produced by its contractors and grantees. Providing ERIC with copies of all documents and deliverables produced with assistance from the Department should be made a condition of all grants and contracts executed by the Department. The staff of the Department should be used to monitor and enforce compliance with this requirement.

H.R. 856 also requires the Secretary of Education to establish cooperative arrangements with other Federal agencies which support education-related research and development activities to assure that the results and documents associated with this research are made available to the ERIC Clearinghouses. The National Science Foundation, the Department of Health and Human Services, and the Department of Defense each support significant programs of education-related research and development and it is important that the results and information generated by this research be included in the ERIC database. Unfortunately, more often than not, they are not. The New York State Department of Education, for example, recently conducted a study which identified significant gaps in coverage in the area of computer-assisted instruction between the contents of the ERIC database and the NTIS database, which contains information about research conducted by DoD and other Federal agencies. The provisions of H.R. 856 require the Secretary to work to close these gaps by establishing more regular and formal exchanges of information with these other Federal agencies about their respective research programs.

The ERIC copyright

Another provision in H.R. 856 prohibits the clearinghouses and other entities receiving assistance under the ERIC program from copyrighting or otherwise charging a royalty or other fee for the use or redissemination of any database, index, abstract, or other information produced through the ERIC program.

Since its inception, ERIC has concentrated its resources on the development of the ERIC database and relied almost exclusively on

the private sector to disseminate it. The database has been placed in the public domain and provided at cost (i.e., the cost of reproduction, shipping, and handling) to private sector entities in the hope that these entities would reproduce, convert into other formats, and widely disseminate the database at no cost to the Federal government. For the most part, this approach has been successful: the ERIC database is now available widely in a variety of different formats, including in paper format, CD–ROM, microfiche, and through online services such as DIALOG, BRS and ORBIT. Most of these products are provided for sale by for-profit corporations, but there are a number of other non-profit entities, including public library systems and institutions of higher education, which also disseminate the ERIC database to the public for no or reduced charge.

The Department of Education has considered plans to permit the contractor for the ERIC processing facility to copyright the database and charge royalty fees for its use by the public. The Committee has reviewed one of the proposals that had been under consideration by the Department. Commercial on-line vendors would be charged 10 percent of the connect hour fee they charge users and an additional 10 percent of the fee charged per "hit" of data printed by the user. CD–ROM vendors would be charged a $50 fee for each CD–ROM they sold. Institutions of higher education and other entities which purchase the ERIC database, mount it on a mainframe and offer it electronically to students and faculty would be charged a one-time fee of $500 and an additional charge of $1,000 annually; if the entity also made ERIC available through a network to other institutions, it would also be charged an additional one-time fee of $250 and another $500 annual fee for each institution which would have access to ERIC. All of these fees are in addition to the fee charged to cover the costs of reproduction, shipping, and handling (generally $1,800 a year) of the database.

The Department has anticipated that between $200,000 and $350,000 a year could be generated through these new royalty fees. The fees would be deposited in a separate account which would be controlled by the contractor but may only be used with the approval of the Department. These funds would be used by the contractor, with the approval of the Department, to make unspecified "improvements" in the ERIC database.

H.R. 856 prohibits the implementation of this policy because the Committee believes it will undermine the basic purpose of ERIC: to make quality educational information freely and widely available to the public.

Copyright ERIC data would violate one of the fundamental and traditional principles of government information policy: that the cost of government information should be made available to the public for no more than the incremental cost of dissemination. The reasoning behind this principle is simple and obvious: since taxpayers paid for the production of the government information in the first place, they should not have to pay a second time in order to access and use it. Any other pricing policy amounts to "double taxation". It is no different than buying a new car and then being asked to pay the car dealer every time you actually wanted to drive it.

The American Library Association, the Information Industry Association, and other national organizations active in Federal information policy frequently disagree on many issues, but the cost-of-dissemination principle is something that all of them agree upon and strongly support. This principle is also affirmed in Office of Management and Budget Circular A–130, which directs Federal agencies to provide Federal information to the public at a price which is no greater than the incremental cost of dissemination and prohibits agencies "from using information products as a profit center or budgeting mechanism" by imposing surcharges or royalties.

Copyrighting ERIC data is also inconsistent with U.S. copyright law. Works produced directly by the U.S. government are required by law to be in the public domain, but a narrow exception does exist to permit the copyrighting of works produced under grant or contract with the Federal government. The House and Senate Committee reports which accompanied the last major revision of the copyright law in 1974 and subsequent court decisions and analysis by legal scholars have emphasized that the purpose of this exception is to accommodate those limited instances in which the provision of copyright protection is necessary to provide a financial incentive to market and disseminate the information in a manner or to an extent that the government cannot. Copyright should be available to contracted works, in other words, only when it will broaden and not limit dissemination. This interpretation is also supported by the provisions of the Federal Acquisition Regulations (FAR) which pertain to copyright protection of contracted works. 48 CFR 27.404(f)(1)(ii) states that "Usually, permission for a contractor to establish claim to copyright subsisting in data first produced under the contract will be granted when copyright protection will enhance the appropriate transfer or dissemination of such data and the commercialization of products or processes to which it applies."

The ERIC database clearly does not meet this test. For more than 20 years, ERIC's public domain status has enabled it to be widely disseminated through multiple sources and in a variety of different formats. Removing the database now from the public domain and imposing surcharges for its use would not "enhance dissemination"; on the contrary, by increasing the cost of accessing and using the data, it can only limit it.

Another concern is that permitting the processing facility contractor to copyright the ERIC database would give the contractor an unfair competitive advantage over others who produce products derived from the database. While the contractor does not currently compete with others who reproduce the database in CD–ROM or other formats or make it available online, it can certainly do so at any time in the future. Should that happen, the contractor would not be subject to the same royalty fees which its competitors would be required to pay for access to the database.

Finally, and most importantly, copyrighting ERIC data is objectionable because it will inevitable increase the cost to the public of accessing and using ERIC. The Department has expressed the "hope" that commercial vendors and others who would be charged the royalty fees will not pass this cost along to their users, but this "hope" seems, at best, extraordinarily naive. Of course, users will pay more. And as a result of these higher costs, many current users

will use ERIC less frequently and some may choose to no longer use it at all.

Dissemination through new technologies

The Committee is aware that many of the new emerging technologies contain the power to transform entire areas of the current educational landscape. For example, many aspects of in-service teacher training can now be reconceptualized because of the potential of interactive video-disc presentations. A number of prototypes exist that provide expert guidance to teachers by allowing them to view videos of colleagues implementing innovative research-based practices in their classrooms. The wide use of these promising prototypes will take partnerships that involve the cooperation of a number of actors—private sector producers of hardware and software, State and local education agencies, as well as schools and universities. OERI's leadership to effectively bring together and leverage the resources of these groups in order to develop a set of national models and approaches will present a unique and worthy leadership challenge.

As part of these activities, H.R. 856 authorizes SMARTLINE, an upgraded version of the electronic bulletin board system how operated by OERI. SMARTLINE will provide quick electronic access to host of different kinds of useful information about education, including grant and contract assistance available through the Department, information about Department publications and resources, statistics published by NCES, syntheses of research and development findings, and listings of materials and causes of instruction provided through the Star Schools program.

In order to reach as many educators as possible through the most economical means possible, the legislation requires that SMARTLINE be accessible through the Internet, a Federally-subsidized "super-network" which now links an estimated 3,080 regional computer networks and an estimated 2 to 5 million individual computer users throughout the world. Most major institutions of higher education already have Internet connections and there has been recent interest and movement among elementary and secondary educational institutions and public library systems to connect with the Internet as well. In the states of California, Pennsylvania, Texas and New York, for example, most LEAs and many individual schools now have access to the Internet. One estimate provided to the Committee is that half of the educators in the Nation can now be reached through the Internet, with new users being added every day.

For SMARTLINE, the advantage of the Internet lies not only with its already sizable, community of users but with its capability to transmit large quantities of information so quickly and economically. Currently, 45 megabits of information—the equivalent of 1,607 text pages—can be transmitted per second over the Internet. When the Internet is fully upgraded to the National Research and Education Network (NREN) over the next decade, it will be able to transmit 1.2 gigabits, or the equivalent of 39,000 text pages, very second and will have a greater capability to transmit non-text optical images as well.

While instant, electronic access to a summary or synthesis of research findings can be helpful to educators interested in school improvement, often what is most useful is the opportunity to engage in dialogue with the persons who actually performed the research or who are knowledgeable about its implications and applications. These kinds of exchanges are today relatively rare and infrequent, but new telecommunications technologies have now made it possible to make them immediately and regularly accessible to educators. For this reason, H.R. 856 requires OERI to provide Internet access to each office of the Department and all of the Department's research and development contractors and grantees, including the regional laboratories, the ERIC Clearinghouses, and the NDN State Facilitators. In this way, a readily-accessible online community of experts can be created to supplement and strengthen the information provided through SMARTLINE to the Nation's educators.

Such Internet-based networking will also facilitate greater coordination and cooperative activities among Department-funded entities. As the network is developed, the Committee expects that the Department will also test the feasibility of using the network for other applications, including the collection of statistics and submission of applications for grant and contract assistance. The National Science Foundation and other Federal agencies have found that using the Internet for these kinds of tasks has reduced administrative costs and lessened the paperwork burden for both the agency and its constituents.

In order to assure maximum access to SMARTLINE and its resources, H.R. 856 also requires OERI to work with the National Science Foundation to assist State and local education agencies, libraries, and other educational institutions in obtaining access to the Internet and the National Research and Education Network.

Regional educational laboratories

H.R. 856 reauthorizes the 10 Regional Educational Laboratories. The Committee intends to stabilize and better define the role of the Regional Educational Laboratories which have been characterized in the National Academy of Sciences' Research report as "* * * unique structure[s], poised between the university and service-delivery system of education." The Committee intends that the laboratories become an essential component of the Federal research and development infrastructure. No longer subject to confusion as a result to shifting tasks and priorities, they will have distinct audiences, a regional governance structure, and specific research and development duties. To that end, the Regional Educational Laboratories are directed to use applied research and development activities to implement broad-based, systemic school improvement strategies through:

(1) The dissemination of information about programs designated as exemplary and promising under subsection (c) and other appropriate programs and practices.

(2) The provisions of support and technical assistance in:

adapting those programs and practices to local situations;

developing systems of assessment based on State or local curriculum frameworks that reflect recent advances in the field of education assessment;

improving professional development strategies to assure that all teachers are prepared to teach a challenging curriculum;

expanding and improving the use of technology in education;

developing alternatives for restructuring school finance systems to promote greater equity; and

developing administrative structures more conducive to planning, implementing and sustaining school reform and improved education outcomes;

(3) The development of education programs an practices that address State or regional needs in relating to their school reform efforts.

(4) The provision of support and technical assistance to State facilitators, upon their request, funded through the National Diffusion Network.

These activities are to be tailored for the unique regional needs established by the governing boards within the priorities and standards established by the National Policy and Priorities Board. The laboratories will provide services to all those who plan for and carry out education, with special emphasis on State education agencies, intermediate education agencies, and local school districts. The Committee specifically makes the laboratories eligible to compete under other Department programs that entail a variety of functions and services.

The bill directs the establishment of a governing board for each laboratory to serve as the sole entity in guiding and directing the laboratory in carrying out the provisions in the legislation.

The governing boards are to determine the regional agenda and allocate resources to and within each State served by the laboratory, taking into account factors such as the proportion of economically disadvantaged students and any special initiatives being undertaken by State, intermediate, or local education agencies which may require special assistance. This provision does not require that the allocation of the laboratories' resources be determined by a rigid formula, but it does require that the regional governing boards make such decisions solely on the basis of need. This provision was included in H.R. 856 because of the Committee's concern that in some regions, particularly the Northeast, the laboratories have provided only token assistance to schools located in some high-poverty urban areas. Given the profound and urgent need for assistance by schools with large populations of disadvantaged students, this is indefensible. The Committee intends to exercise oversight over the implementation of this provision to assure that the governing boards' resource-allocation decisions in the future are clearly driven by the need for laboratory assistance within the region.

In order to assure that rural areas receive sufficient attention, the Committee has also directed that 25 percent of the funds available to each laboratory be used to meet the school improvement needs of rural areas in its region.

The regional governing boards will reflect a balanced representation of the States in the region, as well as the interests and con-

cerns of regional constituencies. They must be aware of, and responsive to, the needs of the teachers, administrators, parents, and policymakers in their region.

The lack of coordination among the operational components of the Federal R&D infrastructure and other Federal education-related agencies was cited by a number of witnesses during Subcommittee hearings, and was identified as a major systemic weakness in the National Academy of Sciences' Research report. In order to promote coordination, as well as to avoid redundancy and duplication, the laboratories are directed to collaborate and regularly exchange information among themselves, with other entities established in this legislation (especially the Research Institutes, the National Diffusion Network, the Learning Grant Institutions, and the District Education Agents), and with other programs and units engaged in technical assistance and dissemination activities supported by other Offices with the Department of Education.

The Committee has added a number of provisions that will enhance the effectiveness of the laboratories and provide them greater stability. Moreover, the quality of work done by the laboratories and their effectiveness in fulfilling the duties prescribed by the Committee will be evaluated periodically by the Secretary through independent evaluations in accordance with the standards developed by the Research Policy and Priorities Board.

The laboratories have been given a new role at the national level in that the governing boards of the 10 laboratories are directed to establish and maintain a network that will serve national, as well as regional, needs. This "national network of laboratories" is directed to share information about the activities each is carrying out; plan joint activities that would meet the needs of multiple regions; create a strategic plan for the development of activities undertaken by the labs to reduce redundancy and increase collaboration and resource-sharing in such activities; and devise other means by which the work of the individual laboratories can serve national, as well as regional, needs. The network will assure that the resources of the entire Nation are accessible to the constituencies for which each regional laboratory is responsible.

Continuity is provided by assuring that current laboratory contracts shall be fully honored and shall remain in effect until their expiration in 1995. At the end of those contracts, a new laboratory competition shall be provided.

Goals 2000 Community Partnerships Program

Section 401(j) establishes the Goals 2000 Community Partnerships program to improve the quality of teaching and learning in poor urban and rural communities by supporting sustained collaborations among universities, schools, businesses and communities which apply and utilize the results of educational research and development.

Grants would be awarded to institutions of higher education, regional educational laboratories and other eligible entities to establish "learning grant institutions" and "district education agents" to provide support for community-based partnerships which seek to improve education at all levels within the community. These partnerships must include the participation of one or more local edu-

cation agencies, institutions of higher education, businesses, community-based organizations, parents and teachers; they may also include human and social service agencies, job training providers, Head Start and child care providers, and others. Partnerships must be located within communities in which at least half of the school-age children have family incomes below the poverty line.

Working with the learning grant institution and a full-time district education agent, each partnership would develop a comprehensive plan for educational improvement within the community which sets out specific strategies and activities designed to achieve them. These activities may include:

Disseminating information about and supporting the replication of exemplary and promising educational programs, practices, products, and policies;

Evaluating the effectiveness of Federally-funded educational programs within the community and identifying changes in such programs which are likely to improve student achievement;

Applying educational research to solve specific problems in the classroom, home, and community which impede learning and student achievement;

Training prospective, novice, and experienced teachers, school administrators, child care providers to improve their ability to work effectively with at-risk students and to develop the subject matter and pedagogical expertise they need to prepare all students to reach challenging standards; and

Promoting the development of an integrated system of service delivery to children and their families by facilitating cooperation and coordination among educational, human, health, and social service providers within the community.

An enormous amount of complex research information needs to be translated for practitioners in non-technical language and adapted by knowledgeable experts to practical settings. The involvement of teachers, parents, educators, and students in identifying local needs and in program planning, evaluation, and feedback is the key to solving educational problems. Dr. Paul T. Hill of the RAND Corporation supports this finding in testimony before the Subcommittee:

> Urban school improvement requires a broad community effort, led by business and community groups that in another era re-developed the downtown or rebuilt the city's economic base. Coalitions led by CEO's, elected officials, clergy, neighborhood and anti-poverty group representatives, and college presidents have started a revolution from above, uniting to make education the No. 1 civic priority. School boards, administrators and teacher leaders still have important roles to play. But the days are gone when educational policy could be created solely in negotiations among the school board and its employees.

Most teachers on the classroom "firing line" do not believe that research and development can assist with their everyday recurring problems of discipline, excessive paperwork, outreach to homes and the community, or that such new information can facilitate instruc-

tion, reduce student boredom and supplement the knowledge being transmitted in the classroom. Nevertheless, there are models, methods, techniques and technology which already exist to assist with these problems. Dr. Wornie L. Reed, Director of the Urban Child Research Center, at a Subcommittee hearing in March 1992, provided insight into the existing problem and the impact of an education program based on the land grant university model:

> There is no coordinated approach, especially across school districts. The proposed plan for a district education agent extension program is an important step in the right direction.
>
> The urban public research universities of today share some of the same principal concepts of the original land grant program: to make higher education more accessible to the public, and to link teaching and research of the university to the community it serves.
>
> The Urban University Program has been quite successful in providing research and technical assistance activities to urban areas and in demonstrating the workings of an urban university model that is similar to the land-grant model. Both models provide the bulk of funding for teaching activities, but also add funding for both research and community service. The Ohio Urban University program links the resources of Ohio's academic institutions to the State's urban communities to solve the unique problems of cities.

The fragmentation of the existing dissemination system and the haphazard coordination between the National Research Centers, the Regional Laboratories, the ERIC bibliographic data base, and the National Diffusion Network, causes effective programs, materials, and practices to easily be overlooked. Additionally, at the local level there is no one available on an ongoing basis to see that communities most in need of specific kinds of research, development, and dissemination assistance are helped. There is often the need for some intervention agent to guide the application of a tested, effective remedy for a problem which can be solved.

A 1986 paper, "At-Risk Youth: Improving Dissemination and Utilization of Program Results," published jointly by the Manpower Demonstration Research Corporation and Public/Private Ventures, emphasized the importance of using a "change agent" to promote the reform and improvement of programs serving at-risk youth:

> One reason for this is that the problems of at-risk youth are characterized by their relationship to multiple institutions. * * * Reform across institutions is particularly difficult, since information has to reach all the relevant actors in a community or state, and a consensus on program goals must be achieved. The barriers to reaching consensus are often formidable. * * * When diverse institutional structures are involved, and diverse professional frameworks for analyzing problems and solutions, the catalytic or intermediary function is useful, if not critical, to encourage utilization of evaluation results from cross-cutting programs.

> A second reason for a more active approach to program improvement is that program "replication" is rarely straightforward, even when research results are accompanied by extensive documentation of program models and implementation experiences. Both MDRC's and P/PV's involvement in multi-site demonstrations suggests that each replication effort requires adjusting a model to the institutional settings of the local sponsors as well as to the characteristics and needs of the target population in each replication community. * * *
>
> Thus the dissemination and utilization function that is missing in most existing efforts is the role of catalyst for innovation and change. While a large segment of the human service profession welcomes good ideas, the power of the status quo is substantial, especially given limited resources. The "change agent" role plays a major part in our recommendations for a successful dissemination and utilization strategy.

The Goals 2000 Community Partnerships program is intended to be the kind of "change agent" MDRC and P/PV believed to be so critical.

Teacher research dissemination network

Section 401(k) establishes a new program of regional partnerships to create a corps of teacher change agents. The Committee is concerned that education research, funded by OERI, is not reaching the local school district level, and teachers are not currently involved in the research and development process. Current research materials available to teachers are often too lengthy and technical to be useful in the classroom. Teachers lack the professional support to reach beyond the classroom and use research as a tool for implementing school reform efforts.

The Committee intends that the regional partnerships provided for in this section will spur the creation of a network of teachers involved in the research and development infrastructure. The teacher change agents will act as liaisons between teachers and education research entities and provide feedback on teacher needs to the R&D system.

Training and technical assistance will be provided by a regional educational laboratory, at least one institution of higher education from each of the States in the region, the National Diffusion Network, and other entities with experience in teacher research or teacher professional development.

The regional laboratories will act as the fiscal agents for the partnership by entering into contracts with the Department of Education. The Governing Board of each regional education laboratory shall determine the composition of the regional partnership. It is the intention of the Committee that at least one partnership shall be funded in each of the ten regional educational laboratory regions. The number of teachers that shall be selected to become teacher change agents shall be determined by each regional partnership based on the amount of funding received.

The Committee feels it is necessary for each teacher change agent to be on a full one-year sabbatical in order to effectively carry out the activities of this program.

Title V.—National Library of Education

Title V of H.R. 856 establishes a National Library of Education to provide a central location within the Federal Government for information about education, provide comprehensive reference services on matters related to education to Department employees and members of the public, and to promote greater cooperation and resource-sharing among providers and repositories of education information in the United States. The Library would amalgamate and upgrade the current functions of the OERI Research Library, the Department's Reference Section, and its Education Information Branch.

The current OERI Research Library has enormous potential as an information resource for the Nation's education community. Its 350,000 volume collection is one of the largest education collections in the nation, second only to that of the Columbia University Teachers College Library. But the Department has done little to develop that potential; indeed, it has treated the Library with such indifference and contempt that it has nearly succeeded in snuffing it out.

A 1991 investigation by the General Accounting Office of the Department's Research Library concluded that, in its current condition, the Library was of "limited usefulness" to Department personnel and other users in education community. Due to inaction by OERI, the library has no overall collection development policy to guide its operations; such a policy, GAO explained, "is needed to make effective day-to-day decisions regarding the acquisition and preservation of materials that meet the needs" of the Library's users. Without a collection development policy, the Library's contemporary collections have been largely influenced by the individual interests of various Secretaries of Education and not the needs of its professional and policy personnel. As a result, key areas, such as vocational education and bilingual education, are the weakest and least comprehensive areas of the collection.

OERI has also slashed real nonpersonnel funding for the Library by 62 percent since fiscal year 1980, including the funds necessary to regularly catalog and maintain the collection. Consequently, an estimated one-half of the collection is not cataloged and cannot be retrieved and used by Department personnel. In addition, another 40,000 volumes are "poorly maintained * * * improperly shelved and in need of rebinding and other preservation services".

The same GAO study, however, found that there was a great demand and support among both Departmental employees and the education community in general for more vigorous and effective library services. The Department itself has funded several studies which reached similar conclusions. H.R. 856 seeks to respond to those demands.

In the future, the Committee believes that the newly-authorized National Library of Education can and should provide reference and other services to the education community which are comparable in scope to those now being offered by the National Agri-

cultural Library and the National Library of Medicine. For the immediate period of time covered by this reauthorization, however, the Committee believes that most of the Library's focus should be on addressing the serious problems identified by GAO. A collection development policy must be promulgated; the preservation needs of the collection must be addressed; gaps in the collection must be identified; and the information needs of the Library's current and potential users must be assessed. Once these essential, nuts-and-bolts tasks have been dealt with, the Library will be poised to offer an expanded array of more intensive services to both the Department and the general public.

OVERSIGHT STATEMENT

In compliance with clause 2(l)(3)(A) of rule XId of the Rules of the House of Representatives, the Committee's oversight findings are set forth throughout this report. No additional oversight findings are applicable at this time.

INFLATIONARY IMPACT STATEMENT

In compliance with clause 2(l)(4) of rule XId of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 856 into law will increase the productivity of individuals with disabilities, reduce their reliance on State and Federal programs, and will have a positive impact on inflation, as it relates to the national economy.

OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS

In compliance with clause 2(l)(3)(D) of the rule XId of the Rules of the House of Representatives, the Committee states that no findings or recommendations of the Committee on Government Operations were submitted to the Committee.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

The Committee requested a cost estimate of H.R. 856 from the Congressional Budget Office to be included in this Report. The estimate had not been received at the time of filing.

SECTION ANALYSIS

Section 1. Short title and table of contents

Section 1 establishes the title as the "Educational Research, Development, and Dissemination Excellence Act".

Section 2. Findings

Section 2 notes that the majority of our public schools are failing and that school reform efforts alone will not allow us to achieve the national education goals. It notes that OERI must be central to the coordination, development dissemination and replication of ideas, strategies and interventions that will make a substantial difference to every student and school in America.

TITLE I.—GENERAL PROVISIONS REGARDING OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT (OERI)

Section 101. General provision

Section 101 provides a declaration of policy concerning the federal role in research, development and dissemination activities through fiscal year 1996. It articulates the mission for OERI, and stipulates that the mission must be accomplished in collaboration with researchers, teachers, school administrators, parents students, employers, and policy-makers.

Administrative structure

It establishes an administrative structure which includes the National Education Research Policy and Priorities Board, the National Research Institutes, the National Education Dissemination System, the National Education Research Library, and the National Center for Education Statistics.

Appointment of employees

It allows the Assistant Secretary to appoint scientific or technical employees for terms not to exceed three years without regard to the provisions of title 5 of the U.S. Code (governing appointment in competitive service), chapter 51 (relating to compensation), and subchapter III of chapter 53 (relating to classification and General Schedule Pay Rates).

Authority to publish

It authorizes the Assistant Secretary to prepare and publish information, reports, and documents without clearance or approval by the Secretary or any other office of the Department.

Biennial report

It requires the Assistant Secretary to include in OERI's biennial report a description of the activities of each research institute and the national education dissemination system, and how the activities relate to the Research Policies and Priorities Plan developed by the Board, and information regarding personnel.

Coordination

It requires the Assistant Secretary, with the advice and assistance of the Board, to establish and maintain an ongoing program of activities designed to improve the coordination of education research, development, and dissemination and activities within the Department of Education and within the Federal government.

Standards for conduct and evaluation of research

It requires the Assistant Secretary to develop standards governing the conduct and evaluation of all research, development, and dissemination activities.

Additional responsibilities

It requires that the Assistant Secretary be guided by the Research Plan and that there be broad and regular participation from the field.

Definitions

It establishes a section for definitions; defines the following new terms: at-risk student, Board, educational research, development, technical assistance, dissemination, national education dissemination system, Office, and national research institute.

Authorization of appropriations

It authorizes $37 million for the purposes of Section 405B for FY 1994.

It authorizes for FY 1995 $20 million each for: the National Institute for Student Achievement; the National Institute on the Education of At-Risk Students; the National Institute for Innovation in Educational Governance, Finance, Policy-Making, and Management; the National Institute on Early Childhood Development and Education; and the National Institute for Postsecondary Education, Libraries, and Lifelong Learning. It authorizes such sums as may be necessary for FY 1996 and 1997.

It authorizes $22 million for the National Education Dissemination System for FY 1994 and such sums as may be necessary for FY 1995 through FY 1997. Of the amount appropriated it make available not less than $7.175 million for the ERIC clearinghouses.

It authorizes $37 million for Regional Educational Laboratories for FY 1994 and such sums as may be necessary for FY 1995 through FY 1997. Of the amounts appropriated in any fiscal year, it obligates not less than 25 percent to carry out such purpose with respect to rural areas (including schools funded by the Bureau of Indian Affairs which are located in rural areas).

It authorizes $30 million for the Teacher Research Dissemination Network Program for FY 1994 and such sums as may be necessary for FY 1995 through FY 1997.

It authorizes $30 million for the Goals 2000 Community Partnerships Program for FY 1994, $50 million for FY 1995, and such sums as may be necessary for FY 1996 through FY 1997.

It specifies that the Secretary shall make available to the National Educational Research Policy and Priorities Board 2 percent of the amounts appropriated for the National Institutes and the National Education Dissemination System or $1 million, whichever is less.

It requires that at least 95 percent of OERI's appropriation in any fiscal year be available for grants, cooperative agreements, or contracts.

Section 102. Assistant Secretary

Section 102 establishes statutory qualifications for the position of Assistant Secretary for Educational Research and Improvement, and outlines the requirements for appointing a candidate to the position.

Section 103. Savings provision

Section 103 provides that contracts for the regional educational laboratories, education resources information clearinghouses, and research and development centers assisted under Section 405 of the General Education Provisions Act on the date of the enactment of

this Act shall remain in effect until the termination date of such contracts.

Section 104. Existing grants and contracts

Section 104 requires that existing grants and contracts remain in effect until their termination dates.

TITLE II.—NATIONAL EDUCATIONAL RESEARCH POLICY AND PRIORITIES BOARD

Section 201. Establishment of Board

Section 201 establishes the National Educational Research Policy and Priorities Board (hereafter referred to as "The Board") within OERI.

Functions

It establishes priorities to guide the work of OERI, and provides for guidance to the Congress in its oversight of OERI.

It provides for the review and evaluation of the implementation of its recommended priorities and policies by the Department and the Congress.

Research priorities plan

It directs the Board to survey and access the state of knowledge in education research, development, and dissemination, consult with the National Educations Goals Panel and other authorities on education, and to solicit recommendations from education researchers, teachers, school administrators, parents, and others by convening periodic regional forums and through other means. Based on these recommendations, it requires that the Board develop a research priorities program for the investment of OERI resources over the next 5-, 10-, and 15-year periods. It stipulates the contents of the research and priorities plan.

Report

It directs the Secretary to publish, not later than October 1 of FY 1995 and of every second fiscal year thereafter, a report specifying the proposed research priorities of the Office.

Additional responsibilities

It gives the Board responsibility for recommending (to the President) candidates for the position of Assistant Secretary and for recommending (to the Secretary) candidates for the position of director of each of the research institutes.

It give the Board general responsibility for overseeing the management and operation of OERI and for making recommendations (that it deems appropriate) to the Assistant Secretary, the Secretary, and the Congress.

It gives the Board responsibility for the review and approval of standards for the conduct and evaluation of all research, development dissemination activities carried out by OERI.

Standing subcommittees

It directs the Board to establish a standing subcommittee for each of the research institutes and for the Office of Reform Assistance and Dissemination to advise, assist, consult with, and make recommendations to the Assistant Secretary, the Board, the Director of such entity, and the Congress on activities carried out by such entities.

It specifies the composition and membership for each subcommittee.

Powers of the Board

It gives the Board the authority to hire its own staff; enter into contracts; review grants, contracts, or arrangements made or entered into by OERI; convene workshops and conferences; collect data; establish rules and procedures to govern its operations.

Membership and selection requirements

It stipulates that the Board will be composed of 18 members appointed by the Secretary: seven shall be appointed from among researchers in the field of education who have been nominated by the National Academy of Sciences and the National Academy of Education (giving due consideration to recommendations made by the American Educational Research Association); five shall be field-based professional educators; one shall be a Chief State School Officer; one shall be a local education agency superintendent or principal; one shall be a member of a State or local board of education or Bureau of Indian Affairs-funded school board; one shall be a professional librarian, school library media specialist, library administrator, or library science educator; one shall be a parent; one shall be an individual from the non-profit foundation community; and two shall be an individual from business and industry. Nine ex officio, nonvoting members of the Board are also specified. It sets out the terms of office and meetings of the Board.

TITLE III.—NATIONAL RESEARCH INSTITUTES

Section 301. Establishment of Institutes

Section 301 establishes five National Research Institutes: the National Institute for the Education of At-Risk Students; the National Institute for Innovation in Educational Governance, Finance, Policy-Making and Management; the National Institute for Early Childhood Development and Education; the National Institute on Student Achievement; and the National Institute for Postsecondary Education, Libraries, and Lifelong Learning.

Directors

It provides that each Institute will be headed by a Director appointed by the Assistant Secretary.

Authorities and duties

It authorizes the Assistant Secretary to conduct the research, development, demonstration, and evaluation activities directly or through grants, contracts, and cooperative agreements. It authorizes grants to support research and development centers (for not

less than 6 and not more than 10 years, at not less than $2 million annually), public-private research partnerships (for which the Federal share shall be limited to not more than 50 percent of the total costs of the project), meritorious unsolicited proposals, that are specifically invited or requested by the Assistant Secretary on a competitive basis, and dissertation grants (not to exceed $20,000 for a period of not more than two years) to graduate students. It authorizes support for graduate study in educational research by African-American, Hispanic, American Indian/Alaska Native, and other individuals from groups which have been traditionally underrepresented in the field of educational research.

It requires that the Assistant Secretary maintain an appropriate balance between applied and basic research; significantly expand the role of field-initiated research in meeting the Nation's education research and development needs by reserving not less than 15 percent of the amounts available to each Institute in any fiscal year to support such research. Requires that not less than 30 percent of the amounts available to each institute in any fiscal year be reserved to support such research and development centers.

It requires that Institute directors maintain targeted initiatives and programs to increase the participation in activities of each Institute of researchers and institutions who have been historically underutilized in Federal educational research activities.

It establishes guidelines under which certain grant and contract actions initiated by the Secretary will require review by the Board.

The National Institute for the Education of At-Risk Students

It states the need for emergency efforts to prevent the further decline in achievement of at-risk students. It requires the Institute to carry out a coordinated and comprehensive program of research and development to improve educational opportunities for students who are at-risk for educational failure, particularly those that reside in innercity and rural areas and on Indian Reservations, and those of limited English proficiency.

The National Institute for Innovation in Educational Governance, Finance, Policy-Making, and Management

It states that many American schools are structured according to models that are ineffective. Requires the Institute to carry out a coordinated and comprehensive program of research and development to provide nonpartisan, research-based leadership to the Nation as it seeks to improve student achievement through school restructuring and reform.

The National Institute for Early Childhood Development and Education

It illustrates the need for expanded federal research and development efforts to improve early childhood education in order to reach the national education goal that all children should start school ready to learn. It requires the Institute to carry out a comprehensive program of research and development to provide nonpartisan, research-based leadership to the Nation as it seeks to improve early childhood development and education.

The National Institute on Student Achievement

It states that despite research suggesting better alternatives for how students are taught, classrooms are still dominated by textbooks, teacher lectures, and short-answer activity sheets with few children demonstrating a grasp of high-level skills. It requires the Institute to carry out a coordinated and comprehensive program of research and development to provide research-based leadership to the Nation as it seeks to improve student achievement in English, mathematics, science, history, geography, other subject areas, and across the boundaries of the subject areas.

The National Institute for Postsecondary Education, Libraries, and Lifelong Learning

It states the need to strengthen the quality of postsecondary education; the need for more and higher quality programs of learning and training in the American workplace; the need to ensure that our correctional system has the means to equip those incarcerated with knowledge and skills they will need to participate productively in society; and the need to develop a "Nation of Students" capable of and committed to the pursuit of formal and informal lifelong learning in order to sustain both national and individuals economic success. It requires the Institute to carry out a program of research and development and promote greater coordination of Federal research and development in providing nonpartisan, research based leadership to the Nation as it seeks to improve postsecondary education, libraries, and lifelong learning.

Coordination of research on cross-cutting issues

It requires that the Assistant Secretary promote the coordination of research and development activities among the Institutes to investigate cross-cutting disciplines and areas of inquiry.

Program on teaching and teacher education

It requires that the Assistant Secretary conduct a comprehensive, coordinate program of research in the area of teaching and teacher education and professional development.

Research on educational technology

It requires that the Assistant Secretary undertake a comprehensive, coordinated program of research and development in the uses and applications of technology in education. The program may support basic and applied research, development, policy analysis, and evaluation in specified areas; and will be coordinated with related research and development activities under the Office of Special Education Programs, the National Science Foundation, the Department of Defense, and other Federal agencies.

Transitional provisions

It requires that the Secretary reorganize the research and development functions and activities of OERI into administrative units, the purposes of which shall be the same as those for each of the national research institutes.

TITLE IV.—NATIONAL EDUCATION DISSEMINATION SYSTEM

Section 401. Establishment within OERI

Section 401 creates a national system of dissemination, development, and school improvement in order to create, adapt, identify, validate, and disseminate to educators, parents, and policy-makers those educational programs (includes educational policies, practices, and products) that have been shown to improve educational opportunities for all students.

It establishes an Office of Reform Assistance and Dissemination (hereafter referred to as the "Dissemination Office") through which the Secretary shall carry out the dissemination functions and activities (including the identification, selection, and dissemination of exemplary or promising educational programs, the provision of technical and financial assistance to individuals and organizations in the process of developing promising educational programs, and the provision of training and technical assistance to interested entities regarding the implementation and adoption of exemplary and promising programs).

It provides additional duties which include administering the functions and activities of the educational resources information clearinghouses, dissemination through new technology, SMARTLINE, the regional educational laboratories, the Goals 2000 Community Partnerships Program, and the existing National Diffusion Network and its Developer-Demonstrator and State Facilitator projects.

Identification of programs

It requires the Assistant Secretary to establish a process through which successful educational programs are actively sought out for possible dissemination through the national educational dissemination system.

Designation of exemplary and promising programs

It requires the Secretary, in consultation with the Board, to establish one or more panels of appropriately qualified experts and practitioners to evaluate promising educational programs and make appropriate recommendations to the Secretary.

Dissemination of exemplary and promising programs

It requires the Assistant Secretary to ensure that programs which are designated as exemplary are available for adoption by the greatest number of teachers, schools and local and State agencies and Bureau of Indian Affairs-funded schools by utilizing the capabilities of the education resources information clearinghouses, SMARTLINE, the regional educational laboratories, the National Diffusion Network, entities established under the Goals 2000 Community Partnerships Program, Department-supported technical assistance providers, the National Library of Education, and other public and private nonprofit entities.

Education resources information clearinghouses

It requires the establishment of a system of 16 education resource information clearinghouses having, at a minimum, the same

functions and scope of work as the clearinghouses had on the date of enactment of the Act.

It directs the Assistant Secretary to ensure that the functions and activities of the clearinghouses are coordinated with those of the research institutes, the regional education laboratories, learning grant institutions, other clearinghouses supported by the Department, the National Diffusion Network, and other appropriate entities within OERI and the Department.

It requires the Secretary to devise an effective system for maximizing the identification, synthesis, and dissemination of information related to the needs of Indian and Alaska Native children.

It directs that no clearinghouse or other entity receiving assistance may copyright or otherwise charge a royalty or other fee for the use or redissemination of any database, index, abstract, report, or other information produced with assistance under this subsection.

Dissemination through new technologies

It authorizes the Assistant Secretary to award grants or contracts to support the development of materials, programs, and resources which utilize new technologies and techniques to synthesize and disseminate research and development findings and other information which can be used to support school and classroom improvement.

It requires that the Assistant Secretary, acting through the Office of Reform Assistance and Dissemination, establish and maintain an electronic network which shall, at a minimum, link each office of the Department of Education, the research institutes, the National Center for Education Statistics, the National Library of Education, and entities engaged in research, development, dissemination, and technical assistance under grant, contract, or cooperative agreement with the Department of Education.

Regional educational laboratories

It requires that the Assistant Secretary enter into contracts with public or private nonprofit entities to establish a networked system of 10 regional educational laboratories to serve the needs of each region of the Nation. It requires that each regional educational laboratory will assist State education agencies, intermediate education agencies and local school districts, and schools funded by the Bureau of Indian Affairs in implementing broad-based, systemic school improvement strategies through the use of applied research and development activities.

Goals 2000 Community Partnerships Program

It establishes a program to improve the quality of learning and teaching in the Nation's most impoverished urban and rural communities by supporting sustained collaborations between universities, schools, businesses, and communities which apply and utilize the results of educational research and development.

Teacher research dissemination network

It establishes a program for the dissemination of education research through partnerships between regional laboratories, institutions of higher education and the National Diffusion Network.

TITLE V.—NATIONAL LIBRARY OF EDUCATION

Section 501. Establishment within OERI

Section 501 establishes within OERI a National Library of Education (hereafter referred to as "The Library") to be maintained as a governmental activity. The Library will serve as the central location within the Federal Government for information about education; will provide comprehensive reference services (on matters related to education) to employees of the Department of Education, other Federal employees, and members of the public; and will promote greater cooperation and resource sharing among providers and repositories of education information in the United States.

One-stop information and referral service

It provides that the Library shall establish and maintain a central information and referral service to respond to telephonic, mail, electronic and other inquiries from the public concerning Department of Education programs and activities, Department of Education publications, education-related publications produced by other Departments. It provides that the Library shall maintain and actively publicize a toll-free telephone number through which public inquiries to the Library may be made.

Comprehensive reference services

It provides that the Library shall provide to Federal employees and the general public a full range of reference services on subjects related to education.

Cooperation and resources sharing

It provides that the Library shall promote cooperation and resource sharing among libraries.

Administration and transfer of functions

It provides that the Library shall be administered by an Executive Director who shall be appointed by the Assistant Secretary from among persons with significant training or experience in Library and Information Science.

It provides for the transfer of all functions of the Department of Education Research Library, the Department of Education Reference Section, and the Department of Education Information Branch.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

GENERAL EDUCATION PROVISIONS ACT

SHORT TITLE; APPLICABILITY; DEFINITIONS; APPROPRIATIONS

SEC. 400. (a) This title may be cited as the "General Education Provisions Act."

* * * * * * *

[OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT

[SEC. 405. (a)(1) The Congress declares it to be the policy of the United States to provide to every individual an equal opportunity to receive an education of high quality regardless of his race, color, religion, sex, age, handicap, national origin, or social class. Although the American educational system has pursued this objective, it has not attained the objective. Inequalities of opportunity to receive high quality education remain pronounced. To achieve the goal of quality education requires the continued pursuit of knowledge about education through research, improvement activities, data collection, and information dissemination. While the direction of American education remains primarily the responsibility of State and local governments, the Federal Government has a clear responsibility to provide leadership in the conduct and support of scientific inquiry into the educational process.

[(2) The Congress further declares it to be the policy of the United States to—

[(A) promote the quality and equity of American education,

[(B) advance the practice of education as an art, science, and profession;

[(C) support educational research of the highest quality;

[(D) strengthen the educational research and development system;

[(E) improve educational techniques and training;

[(F) assess the national progress of this Nation's schools and educational institutions, particularly special populations; and;

[(G) collect, analyze, and disseminate statistics and other data related to education in the United States and other nations.

[(3) For purposes of this section—

[(A) the term "Assistant Secretary" means the Assistant Secretary for Educational Research and Improvement established by section 202 of the Department of Education Organization Act;

[(B) the term "Council" means the National Advisory Council on Educational Research and Improvement established by subsection (c);

[(C) the term "educational research" includes basic and applied research, development, planning, surveys, assessments, evaluations, investigations, experiments, and demonstrations in the field of education and other fields relating to education;

[(D) the term "Office" means the Office of Educational Research and Improvement established by section 209 of the Department of Education Organization Act; and

[(E) the terms "United States" and "State" include the District of Columbia and the Commonwealth of Puerto Rico.

[(b)(1) It shall be the purpose of the Office to carry out the policies set forth in subsection (a) of this section. The Office shall be administered by the Assistant Secretary and shall include—

[(A) the National Advisory Council on Educational Research and Improvement established in subsection (c);

[(B) the Center for Education Statistics established by section 406; and

[(C) such other units as the Secretary deems appropriate to carry out the purposes of the Office.

[(2) The Office shall, in accordance with the provisions of this section, seek to improve education in the United States through concentrating the resources of the Office on the priority research and development needs described in paragraph (3).

[(3) The needs to which paragraph (2) apply are—

[(A) improving student achievement;

[(B) improving the ability of schools to meet their responsibilities to provide equal educational opportunities for all students, including those with limited English-speaking ability, women, older students, part-time students, minority students, gifted and talented students, handicapped students, and students who are socially, economically, or educationally disadvantaged;

[(C) collecting, analyzing, and disseminating statistics and other data related to education in the United States and other nations;

[(D) improving the dissemination and application of knowledge obtained through educational research and data gathering, particularly to education professionals and policy makers;

[(E) encouraging the study of the sciences, the arts, and the humanities, including foreign languages and cultures;

[(F) improving the data base of information on special populations and their educational status;

[(G) conducting research on adult educational achievement, particularly literacy and illiteracy as it affects employment, crime, health, and human welfare;

[(H) conducting research on postsecondary opportunities, especially access for minorities and women; and

[(I) conducting research on education professionals, especially at the elementary and secondary levels including issues of recruitment, training, retention, and compensation.

[(4) The Secretary shall publish proposed research priorities in the Federal Register every two years, not later than October 1, and shall allow a period of sixty days for public comments and suggestions.

[(c)(1) The Council shall consist of fifteen members appointed by the President, by and with the advice and consent of the Senate. In addition, there shall be such ex officio members who are officers of the United States as the President may designate, including the Assistant Secretary. A majority of the appointed members of the Council shall constitute a quorum. The Chairman of the Council shall be designated by the President from among the appointed members. Ex officio members shall not have a vote on the Council. The members of the Council shall be appointed to ensure that the Council is broadly representative of the general public; the edu-

cation professions, including practitioners; policymakers and researchers; and the various fields and levels of education.

[(2)(A) Except as provided in subparagraph (B), members shall be appointed to terms of three years.

[(B) Of the members first appointed—

[(i) five shall be apointed for terms of one year;

[(ii) five shall be appointed for terms of two years; and

[(iii) five shall be appointed for terms of three years;

as designated by the President at the time of appointment.

[(C) Any member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of a term until a successor has taken office.

[(D) An appointed member who has been a member of the Council for six consecutive years shall be ineligible for appointment to the Council during the two-year period following the expiration of the sixth year.

[(3) The Council shall—

[(A) advise the Secretary and the Assistant Secretary on the policies and activities carried out by the Office;

[(B) review and publicly comment on the policies and acitvities of the Office;

[(C) conduct such activities as may be necessary to fulfill its functions under this subsection;

[(D) prepare such reports to the Secretary on the activities of the Office as are appropriate; and

[(E) submit, no later than March 31 of each year, a report to the President and the Congress on the activities of the Office, and on education, educational research, and data gathering in general.

[(d)(1) In order to carry out the objectives of the Office under this section, the Secretary within the limits of available resources shall—

[(A) conduct educational research;

[(B) collect, analyze, and disseminate the findings of education research;

[(C) train individuals in educational research;

[(D) assist and foster such research, collection, dissemination, and training through grants, cooperative agreements, and technical assistance;

[(E) promote the coordination of educational research and research support within the Federal Government and otherwise assist and foster such research; and

[(F) collect, analyze, and disseminate statistics and other data related to education in the United States and other nations.

[(2)(A) The Secretary may appoint, for terms not to exceed three years (without regard to the provisions of title 5 of the United States Code governing appointment in the competitive service) and may compensate (without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates) such scientific or professional employees of the Office as the Secretary considers necessary to ac-

complish its functions. The Secretary may also appoint and compensate not more than one-fifth of the number of full-time, regular scientific or professional employees of the Office without regard to such provisions. The rate of basic pay for such employees may not exceed the maximum annual rate of pay for grade GS–15 under section 5332 of title 5 of the United States Code, except that the pay of any employee employed before the date of enactment of the Higher Education Amendments of 1986 shall not be reduced by application of such maximum pay limitation.

[(B) The Secretary may reappoint employees described in subparagraph (A) upon presentation of a clear and convincing justification of need, for one additional term not to exceed three years. All such employees shall work on activities of the Office and shall not be reassigned to other duties outside the Office during their term.

[(C) Individuals who are employed on the date of enactment of this Act and were employed by such Office on April 1, 1986, and who were employed under excepted hiring authority provided by section 209 of the Department of Education Organization Act or this section may continue to be employed for the duration of their current term.

[(3)(A) The Secretary may carry out the activities in paragraph (1)—

[(i) directly;

[(ii) through grants, contracts, and cooperative agreements with institutions of higher education, public and private organizations, institutions, agencies, and individuals; and

[(iii) through the provision of technical assistance.

[(B) When making competitive awards under this subsection, the Secretary shall—

[(i) solicit recommendations and advice regarding research priorities, opportunities, and strategies from qualified experts, such as education professionals and policymakers, personnel of the regional education laboratories and of the research and development centers supported under paragraph (4), and the Council, as well as parents and other members of the general public;

[(ii) employ suitable selection procedures utilizing the procedures and principles of peer review, except where such peer review procedures are clearly inappropriate given such factors as the relatively small amount of a grant or contract or the exigencies of the situation; and

[(iii) determine that the activities assisted will be conducted efficiently, will be of high quality, and will meet priority research and development needs under this section.

[(C) Whenever the Secretary enters into a cooperative agreement under this section, the Secretary shall negotiate any subsequent modifications in the cooperative agreement with all parties to the agreement affected by the modifications.

[(4)(A) In carrying out the functions of the Office, the Secretary shall, in accordance with the provisions of this subsection, support—

[(i) regional educational laboratories established by public agencies or private nonprofit organizations to serve the needs of a specific region of the Nation under the guidance of a re-

gionally representative governing board, the regional agendas of which shall, consistent with the priority research and development needs established by subsection (b) (2) and (3), be determined by the governing boards of such labs;

[(ii) research and development centers established by institutions of higher education, by institutions of higher education in consort with public agencies or private nonprofit organizations, or by interstate agencies established by compact which operate subsidiary bodies established to conduct postsecondary educational research and development;

[(iii) meritorious unsolicited proposals for educational research and related activities that are authorized by this subsection; and

[(iv) proposals that are specifically invited or requested by the Secretary, on a competitive basis, which meet objectives authorized by this subsection.

[(B) Prior to awarding a grant or entering into a contract for a regional educational laboratory or research and development center under subparagraph (A)(i) or (A)(ii), the Secretary shall invite applicants to compete for such laboratories and centers through notice published in the Federal Register.

[(C) Each application for assistance under subparagraph (A) (i) or (ii) as a regional educational laboratory or a research and development center shall contain such information as the Secretary may reasonably require, including assurances that the applicant will—

[(i) be responsible for the conduct of the research and development activities;

[(ii) prepare a long-range plan relating to the conduct of such research and development activities;

[(iii) ensure that information developed as a result of such research and development activities, including new educational methods, practices, techniques, and products, will be appropriately disseminated;

[(iv) provide technical assistance to appropriate educational agencies and institutions; and

[(v) to the extent practicable, provide training for individuals, emphasizing training opportunities for women and members of minority groups, in the use of new educational methods, practices, techniques, and products developed in connection with such activities.

[(D) No grant may be made and no contract entered into for assistance described under subparagraph (A) (i) or (ii) unless—

[(i) proposals for assistance under this subsection are solicited from regional educational laboratories and research and development centers by the Office;

[(ii) proposals for such assistance are developed by the regional educational laboratories and the research and development centers in consultation with the Office; and

[(iii) the Office determines that the proposed activities will be consistent with the education research and development program and dissemination activities which are being conducted by the Office.

[(E) No regional educational laboratory or research and development center receiving assistance under this subsection shall, by

reason of the receipt of that assistance, be ineligible to receive any other assistance from the Office authorized by law.

[(F) The Secretary shall make available adequate funds to support meritorious, unsolicited proposals as described under subparagraph (A)(iii), and provide sufficient notice of the availability of such funds to individual researchers in all regions of the country.

[(5) The Secretary, from funds appropriated under this section, may establish and maintain research fellowships in the Office, for scholars, researchers, and statisticians engaged in the collection and dissemination of information about education and educational research. Subject to regulations published by the Secretary, fellowships may include such stipends and allowance, including travel and subsistence expenses provided for under title 5, United States Code, as the Secretary considers appropriate.

[(6) The Secretary may award grants to institutions of higher education, including technical and community colleges as appropriate, to assess the new and emerging specialties and the technologies, academic subjects, and occupational areas requiring vocational education, with emphasis on the unique needs for preparing an adequate supply of vocational teachers of handicapped students. The Secretary shall give special consideration to the preparation required to teach classrooms of handicapped, or other highly targeted groups of students, in combination with other nonhandicapped or other nontargeted students, within the same vocational education setting.

[(e)(1) There are authorized to be appropriated to carry out this section, $72,231,000 for fiscal year 1987 and such sums as may be necessary for each of the four succeeding fiscal years.

[(2) The Secretary may not enter into a contract for the purpose of regional educational laboratories under subsection (d)(3)(A)(i) for a period in excess of five years.

[(3) Not less than 95 per centum of funds appropriated pursuant to this subsection for any fiscal year shall be expended to carry out this section through grants, cooperative agreements, or contracts.

[(4) When more than one Federal agency uses funds to support a single project under this section, the Office may act for all such agencies in administering those funds.

[(f)(1) In each fiscal year for which the total amount appropriated to carry out this section and section 406 of this Act equals or exceeds the total amount appropriated for fiscal year 1986 to carry out such sections—

[(A) not less than $17,760,000 shall be available in each fiscal year to carry out subsection (d)(4)(A)(ii) of this section (relating to centers);

[(B) not less than $17,000,000 shall be available in each fiscal year to carry out subsection (d)(4)(A)(i) of this section (relating to labs);

[(C) not less than $5,700,000 shall be available in each fiscal year to assist a separate system of 16 education resources information clearinghouses (including direct supporting dissemination services) pursuant to subsection (d)(3)(A) of this section, having the same functions and scope of work as the clearinghouses had on the date of enactment of the Higher Education Amendments of 1986;

[(D) Not less than $9,500,000 for the fiscal year 1989, and such sums as may be necessary for each of the fiscal years 1990 through 1994, shall be available to carry out section 406(i) of this Act (relating to the National Assessment of Education Progress);

[(E) not less than $8,750,000 shall be available in each fiscal year to carry out section 406 of this Act, except for subsection (i) of that section (relating to the Center for Educational Statistics); and

[(F) not less than $500,000 shall be available in each fiscal year to carry out subsection (d)(4)(A)(iii) of this section (relating to field initiated research).

[(2) If the sums appropriated for any fiscal year are less than the amount required to be made available under subparagraphs (A) through (F) of paragraph (1), then each of the amounts required to be made available under such subparagraphs shall be ratably reduced. If additional amounts become available for any such fiscal year, such reduced amounts shall be increased on the same basis as they were reduced.]

OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT

SEC. 405. (a) DECLARATION OF POLICY REGARDING EDUCATIONAL OPPORTUNITY.—

(1) IN GENERAL.—The Congress declares it to be the policy of the United States to provide to every individual an equal opportunity to receive an education of high quality regardless of race, color, religion, sex, age, disability, national origin, or social class. Although the American educational system has pursued this objective, it has not attained the objective. Inequalities of opportunity to receive high quality education remain pronounced. To achieve the goal of quality education requires the continued pursuit of knowledge about education through research, development, improvement activities, data collection, synthesis, technical assistance, and information dissemination. While the direction of American education remains primarily the responsibility of State and local governments, the Federal Government has a clear responsibility to provide leadership in the conduct and support of scientific inquiry into the educational process.

(2) MISSION OF OFFICE.—

(A) The mission of the Office of Educational Research and Improvement shall be to provide national leadership in—

(i) expanding fundamental knowledge and understanding of education;

(ii) promoting excellence and equity in education; and

(iii) monitoring the state of education.

(B) The mission of the Office shall be accomplished in collaboration with researchers, teachers, school administrators, parents, students, employers, and policymakers.

(b) PURPOSE AND STRUCTURE OF OFFICE.—

(1) IN GENERAL.—The Secretary, acting through the Office of Educational Research and Improvement, shall carry out the

policies set forth in subsection (a). In carrying out such policies, the Secretary shall be guided by the priorities established by the Board of Governors established in section 405A.

(2) ADMINISTRATIVE STRUCTURE.—The Office shall be administered by the Assistant Secretary and shall include—

(A) the National Educational Research Policy and Priorities Board established by section 405A;

(B) the national research institutes established by section 405B;

(C) the national education dissemination system established by section 405C;

(D) the National Library of Education established by section 405D;

(E) the National Center for Education Statistics established by section 406; and

(F) such other units as the Secretary deems appropriate to carry out the purposes of the Office.

(3) PRIORITIES IN RESEARCH AND DEVELOPMENT.—The Office shall, in accordance with the provisions of this section, seek to improve education in the United States through concentrating the resources of the Office on the following priority research and development needs:

(A) The education of at-risk students.

(B) The education and development of young children.

(C) Student achievement in elementary and secondary school.

(D) Postsecondary education, libraries, and lifelong learning for adults.

(E) The improvement of schools through the restructuring and reform of school governance, policymaking, finance and management at the State, local, school building, and classroom level.

(c) APPOINTMENT OF EMPLOYEES.—

(1) IN GENERAL.—The Assistant Secretary may appoint, for terms not to exceed three years (without regard to the provisions of title 5 of the United States Code governing appointment in the competitive service) and may compensate (without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates) such scientific or technical employees of the Office as the Assistant Secretary considers necessary to accomplish its functions, provided that—

(A) at least 60 days prior to the appointment of any such employee, public notice is given of the availability of such position and an opportunity is provided for qualified individuals to apply and compete for such position;

(B) the rate of basic pay for such employees does not exceed the maximum rate of basic pay payable for positions at GS–15, as determined in accordance with section 5376 of title 5, United States Code;

(C) the appointment of such employee is necessary to provide the Office with scientific or technical expertise which could not otherwise be obtained by the Office through the competitive service; and

(D) the total number of such employees does not exceed one-fifth of the number of full-time, regular scientific or professional employees of the Office.

(2) REAPPOINTMENT OF EMPLOYEES.—The Assistant Secretary may reappoint employees described in paragraph (1) upon presentation of a clear and convincing justification of need, for one additional term not to exceed 3 years. All such employees shall work on activities of the Office and shall not be reassigned to other duties outside the Office during their term.

(d) AUTHORITY TO PUBLISH.—

(1) IN GENERAL.—The Assistant Secretary is authorized to prepare and publish such information, reports, and documents as may be of value in carrying out the purposes of sections 405 through 405D without further clearance or approval by the Secretary or any other office of the Department.

(2) QUALITY ASSURANCE.—In carrying out such authority, the Assistant Secretary shall—

(A) establish such procedures as may be necessary to assure that all reports and publications issued by the Office are of the highest quality; and

(B) provide other offices of the Department with an opportunity to comment upon any report or publication prior to its publication when its contents relate to matters for which such office has responsibility.

(e) BIENNIAL REPORT ON ACTIVITIES OF OFFICE.—The Assistant Secretary shall transmit to the President and the Congress by not later than December 30 of every other year a biennial report which shall consist of—

(1) a description of the activities carried out by and through each research institute during the fiscal years for which such report is prepared and any recommendations and comments regarding such activities as the Assistant Secretary considers appropriate;

(2) a description of the activities carried out by and through the national education dissemination system established by section 405C during the fiscal years for which such report is prepared and any recommendations and comments regarding such activities as the Assistant Secretary considers appropriate;

(3) such written comments and recommendations as may be submitted by the Board concerning the activities carried out by and through each of the institutes and the national education dissemination system during the fiscal years for which such report is prepared and how such activities relate to the Research Policies and Priorities Plan developed by the Board;

(4) a description of the coordination activites undertaken pursuant to section 405(f) during the fiscal years for which such report is prepared;

(5) recommendations for legislative and administrative changes necessary to improve the coordination of all educational research, development, and dissemination activities carried out within the Federal Government, particularly within the priority research and development needs identified in section 405(b)(3); and

(6) such additional comments, recommendations, and materials as the Assistant Secretary considers appropriate.

(f) COORDINATION.—With the advice and assistance of the Board, the Assistant Secretary shall establish and maintain an ongoing program of activities designed to improve the coordination of education research, development, and dissemination and activities within the Department and within the Federal Government, particularly within the priority research and development needs identified in section 405(b)(3), in order to—

(1) minimize duplication in education research, development, and dissemination carried out by the Federal Government;

(2) maximize the value of the total Federal investment in education research, development, and dissemination; and

(3) enable all entities engaged in education research, development, and dissemination within the Federal Government to interact effectively as partners and take full advantage of the diverse resources and proficiencies which each entity has available.

(g) ACTIVITIES REQUIRED WITH RESPECT TO COORDINATION.—In carrying out such program of coordination, the Assistant Secretary shall compile (and thereafter regularly maintain) and make available a comprehensive inventory of all education research, development, dissemination activities, and expenditures being carried out by the Federal Government within the priority research and development needs identified in section 405(b)(3).

(h) STANDARDS FOR CONDUCT AND EVALUATION OF RESEARCH.—

(1) IN GENERAL.—In consultation with the Board, the Assistant Secretary shall develop such standards as may be necessary to govern the conduct and evaluation of all research, development, and dissemination activities carried out by the Office to assure that such activities meet the highest standards of professional excellence. In developing such standards, the Assistant Secetary shall review the procedures utilized by the National Institutes of Health, the National Science Foundation, and other Federal agencies engaged in research and development and shall also actively solicit recommendations from the National Academy of Sciences, the American Educational Research Association and members of the general public.

(2) CONTENTS OF STANDARDS.—Such standards shall at a minimum—

(A) require that a system of peer review be utilized by the Office—

(i) in reviewing and evaluating all applications for grants and cooperative agreements and bids for those contracts which exceed $100,000;

(ii) in evaluating and assessing the performance of all recipients of grants from and cooperative agreements and contracts with the Office; and

(iii) in reviewing and designating exemplary and promising programs in accordance with section 405C(d);

(B)(i) specify the composition of peer review panels, the criteria for the selection of members of such panels, and describe the means by which potential members shall be iden-

tified so as to assure that such panels are broadly representative of individuals with expertise in matters relevant to the purposes of each such panel;

(ii) prohibit the consideration of partisan affiliation in the selection of any member of a peer review panel;

(iii) describe the general procedures which shall be used by each peer review panel in its operations;

(iv) prohibit the participation by a member of a peer review panel in the review of any application in which such member has any financial interest; and

(v) require that transcripts, minutes, and other documents made available to or prepared for or by a peer review panel will be available for public inspection to the extent consistent with the Freedom of Information Act, the Federal Advisory Committee Act, the Privacy Act, and other laws;

(C)(i) describe the procedures which shall be utilized in evaluating applications for grants, proposed cooperative agreements, and contract bids;

(ii) specify the criteria and factors which shall be considered in making such evaluations; and

(iii) provide that any decision to fund a grant, contract, or cooperative agreement out of its order of ranking by a peer review panel shall be first fully justified in writing and that copies of such justification shall be transmitted to the Board, unless such action is required by some other provision of law;

(D)(i) describe the procedures which shall be utilized in reviewing educational programs which have been identified by or submitted to the Secretary for evaluation in accordance with section 405C(d); and

(ii) specify the criteria which shall be used in recommending programs as exemplary and promising; and

(E)(i) require that the performance of all recipients of grants from and contracts and cooperative agreements with the Office shall be periodically evaluated, both during and at the conclusion of their receipt of assistance;

(ii) describe the procedures and means by which such evaluations shall be undertaken, including—

(I) the frequency of such evaluations;

(II) the criteria, outcome measures, and other factors which shall be taken into account; and

(III) measures to assure that on-site evaluations of performance shall be utilized to the extent appropriate and whenever practicable; and

(iii) provide that the results of such evaluations shall be taken into account prior to any decision to continue, renew, or provide new funding to the entity being reviewed.

(3) PUBLICATION AND PROMULGATION OF STANDARDS.—

(A) The Assistant Secretary shall publish proposed standards—

(i) which meet the requirements of subparagraphs (A), (B), and (C) of paragraph (2) not later than 1 year after the date of the enactment of the Educational Re-

search, Development, and Dissemination Excellence Act;

(ii) which meet the requirements of paragraph (2)(D) not later than 2 years after such date; and

(iii) which meet the requirements of subparagraph (E) of paragraph (2) not later than 3 years after such date;

(B) Following the publication of such proposed standards, the Assistant Secretary shall solicit comments from interested members of the public with respect to such proposed standards for a period of not more than 120 days. After giving due consideration to any comments which may have been received, the Assistant Secretary shall transmit such standards to the Board for its review and approval.

(C) Upon the approval of the Board, the Assistant Secretary shall transmit final standards to the Secretary which meet the requirements of the particular subparagraphs of paragraph (2) for which they were developed. Such standards shall be binding upon all activities carried out with funds appropriated under section 405.

(i) ADDITIONAL RESPONSIBILITIES OF THE ASSISTANT SECRETARY.—In carrying out the activities and programs of the Office, the Assistant Secretary shall—

(1) be guided by the Research Priorities Plan developed by the Board;

(2) ensure that there is broad and regular public and professional involvement from the educational field in the planning and carrying out of the Office's activities, including establishing teacher advisory boards for any program office, program or project of the Office as the Assistant Secretary deems necessary;

(3) ensure that the selection of research topics and the administration of the program are free from undue partisan political influence; and

(4) ensure that all statistics and other data collected and reported by the Office shall be collected, cross-tabulated, analyzed, and reported by sex within race or ethnicity and socioeconomic status whenever feasible (and when such data collection or analysis is not feasible, ensure that the relevant report or document includes an explanation as to why such data collection or analysis is not feasible).

(j) DEFINITIONS.—For purposes of this section and sections 405A through 405D:

(1) The term "Assistant Secretary" means the Assistant Secretary for Educational Research and Improvement established by section 202 of the Department of Education Organization Act.

(2) The term "at-risk student" means a student who, because of limited English proficiency, poverty, geographic location, or educational or economic disadvantage, faces a greater risk of low educational achievement and has greater potential for dropping out of school.

(3) The term "Board" means the National Educational Research Policy and Priorities Board.

(4) The term "educational research" includes basic and applied research, development, planning, surveys, assessments, evaluations, investigations, experiments, and demonstrations in the field of education and other fields relating to education.

(5) The term "development"—

(A) means the systematic use, adaptation, and transformation of knowledge and understanding gained from research to create alternatives, policies, products, methods, practices, or materials which can contribute to the improvement of educational practice; and

(B) includes the design and development of prototypes and the testing of such prototypes for the purposes of establishing their feasibility, reliability, and cost-effectiveness.

(6) The term "technical assistance" means the provision of external assistance to facilitate the adoption or application of the knowledge gained from educational research and development and includes—

(A) problem analysis and diagnosis;

(B) assistance in finding, selecting, or designing suitable solutions and approaches to problems;

(C) training in the installation and implementation of products, programs, policies, practices, or technologies; and

(D) such other assistance as may be necessary to encourage the adoption or application of such knowledge.

(7) The term "dissemination" means the transfer of knowledge and products gained through research and includes—

(A) the use of communication techniques to increase awareness of such knowledge and products;

(B) the provision of comparative and evaluative information necessary to enable educators, school administrators, and others to assess and make informed judgments about the relevance and usefulness of such knowledge and products in specific settings; and

(C) the provision of technical assistance needed to adapt, apply, and utilize such knowledge and products in specific educational settings.

(8) The term "national education dissemination system" means the activities carried out by the Office of Reform Assistance and Dissemination established by section 405C.

(9) The term "Office" means the Office of Educational Research and Improvement established in section 209 of the Department of Education Organization Act.

(10) The term "national research institute" means an institute established in section 405B.

(11) The terms "United States" and "State" include the District of Columbia and the Commonwealth of Puerto Rico.

(k) AUTHORIZATION OF APPROPRIATIONS.—

(1) NATIONAL INSTITUTES.—

(A) For the purpose of carrying out section 405B, there is authorized to be appropriated $37,000,000 for fiscal year 1994.

(B) For the purpose of carrying out the provisions of section 405B relating to the National Institute for Student Achievement, there are authorized to be appropriated

$20,000,000 for fiscal year 1995, and such sums as are necessary for each of fiscal years 1996 and 1997.

(C) For the purpose of carrying out the provisions of section 405B relating to the National Institute for the Education of At-Risk Students, there are authorized to be appropriated $20,000,000 for fiscal year 1995, and such sums as are necessary for each of fiscal years 1996 and 1997.

(D) For the purpose of carrying out the provisions of section 405B relating to the National Institute for Innovation in Educational Governance, Finance, Policy-Making, and Management, there are authorized to be appropriated $20,000,000 for fiscal year 1995, and such sums as are necessary for each of fiscal years 1996 and 1997.

(E) For the purpose of carrying out the provisions of section 405B relating to the National Institute for Early Childhood Development and Education, there are authorized to be appropriated $20,000,000 for fiscal year 1995, and such sums as are necessary for each of fiscal years 1996 and 1997.

(F) For the purpose of carrying out the provisions of section 405B relating to the National Institute of Postsecondary Education, Libraries, and Lifelong Learning, there are authorized to be appropriated $20,000,000 for fiscal year 1995, and such sums as are necessary for each of fiscal years 1996 and 1997.

(2) NATIONAL EDUCATION DISSEMINATION SYSTEM.—

(A)(i) For the purpose of carrying out subsections (b)(2) through (g) of section 405C, there are authorized to be appropriated $22,000,000 for fiscal year 1994, and such sums as are necessary for each of the fiscal years 1995 through 1997.

(ii) Of the amount appropriated under clause (i) for any fiscal year, the Secretary shall make available not less than $7,175,000 to carry out subsection (f) of section 405C (relating to clearinghouses).

(B) For the purpose of carrying out subsection (h) of section 405C (relating to regional educational laboratories), there are authorized to be appropriated $37,000,000 for fiscal year 1994, and such sums as are necessary for each of the fiscal years 1995 through 1997. Of the amounts appropriated under the preceding sentence for a fiscal year, the Secretary shall obligate not less than 25 percent to carry out such purpose with respect to rural areas (including schools funded by the Bureau of Indian Affairs which are located in rural areas).

(C) For the purpose of carrying out subsection (j) of section 405C (relating to the teacher research dissemination network) there are authorized to be appropriated $30,000,000 for fiscal year 1994, and such sums as are necessary for each of the fiscal years 1995 through 1997.

(D) For the purpose of carrying out subsection (i) of section 405C (relating to the Goals 2000 Community Partnerships Program), there are authorized to be appropriated $30,000,000 for fiscal year 1994, $50,000,000 for fiscal year

1995, and such sums as are necessary for each of the fiscal years 1996 and 1997.

(3) NATIONAL EDUCATIONAL RESEARCH POLICY AND PRIORITIES BOARD.—Of the amounts appropriated under paragraphs (1) and (2) for any fiscal year, the Secretary shall make available 2 percent of such amounts, or $1,000,000, whichever is less, to the Board for the purpose of carrying out section 405A.

(4) ALLOCATIONS FOR GRANTS, COOPERATIVE AGREEMENTS, AND CONTRACTS.—Of the amounts appropriated under paragraph (1) or (2) for any fiscal year, not less than 95 percent shall be expended to carry out the purposes described in such paragraphs through grants, cooperative agreements, or contracts.

(5) LIMITATIONS ON APPROPRIATIONS.—No amounts are authorized to be appropriated under paragraph (1) or (2) for fiscal year 1995 or any fiscal year thereafter unless the Board has been appointed in accordance with section 405A.

(6) GRANT AUTHORIZED.—From the amounts appropriated under paragraph (1) for fiscal year 1995, the Secretary is authorized, in accordance with the provisions of this paragraph, to award a grant of not more than $5,000,000 to a public or private institution, agency or organization for a period not to exceed five years for the purpose of conducting a State-by-State poll to determine the perceptions of recent graduates of secondary schools, their instructors in institutions of higher education, parents of recent such graduates, and employers of recent such graduates on how well schools have prepared students for further education or employment. The grant shall be awarded on a competitive basis and shall be matched on a two-to-one basis, with the Federal Government contributing one-third of the total costs of the poll.

NATIONAL EDUCATIONAL RESEARCH POLICY AND PRIORITIES BOARD

SEC. 405A. (a) IN GENERAL.—There is established within the Office a National Educational Research Policy and Priorities Board (hereafter in this section referred to as the "Board").

(b) FUNCTIONS.—It shall be the responsibility of the Board, acting through the Assistant Secretary—

(1) to determine priorities that should guide the work of the Office and provide guidance to the Congress in its oversight of the Office;

(2) to review and approve standards for the conduct and evaluation of all research, development, and dissemination carried out under the auspices of the Office pursuant to sections 405 through 405C; and

(3) to regularly review, evaluate, and publicly comment upon, the implementation of its recommended priorities and policies by the Department and the Congress.

(c) RESEARCH PRIORITIES PLAN.—In cooperation with the Assistant Secretary, the Board shall—

(1) survey and assess the state of knowledge in education research, development and dissemination to identify disciplines and areas of inquiry within the priority research, development and dissemination needs identified in section 405(b)(3) in which

the state of knowledge is insufficient and which warrant further investigation, taking into account the views of both education researchers and practicing educators;

(2) consult with the National Education Goals Panel and other authorities on education to identify national priorities for the improvement of education;

(3) actively solicit recommendations from education researchers, teachers, school administrators, cultural leaders, parents, and others throughout the Nation through such means as periodic regional forums;

(4) provide recommendations for the development, maintenance, and assurance of a strong infrastructure for education, research, and development in the United States; and

(5) on the basis of such recommendations, develop a research priorities program which shall recommend priorities for the investment of the resources of the Office over the next 5-, 10-, and 15-year periods, including as priorities those areas of inquiry in which further research, development and dissemination—

(A) is necessary to attain the goals for the improvement of education identified in paragraph (2);

(B) promises to yield the greatest practical benefits to teachers and other educators in terms of improving education; and

(C) will not be undertaken in sufficient scope or intensity by the other Federal and non-Federal entities engaged in education research and development.

(d) CONTENTS OF PLAN—

(1) IN GENERAL.—The research and priorities plan described in subsection (c) shall, at a minimum—

(A) set forth specific objectives which can be expected to be achieved as a result of a Federal investment in the priorities set forth in the plan;

(B) include recommendations with respect to research and development on cross-cutting issues which should be carried out jointly by 2 or more of the research institutes; and

(C) include an evaluative summary of the educational research and development activities undertaken by the Federal Government during the preceding 2 fiscal years which shall describe—

(i) what has been learned as a result of such activities;

(ii) how such new knowledge or understanding extends or otherwise relates to what had been previously known or understood;

(iii) the implications of such new knowledge or understanding for educational practice and school reform; and

(iv) any development, reform, and other assistance activities which have utilized such knowledge or understanding and the effects of such efforts.

(2) REPORT.—

(A) Not later than 6 months after the first meeting of the Board and October 1 of every second year thereafter, the

Assistant Secretary shall publish a report specifying the proposed research priorities of the Office and allow a 60-day period beginning on the date of the publication of the report for public comment and suggestions.

(B) Not later than 90 days after the expiration of the 60-day period referred to in subparagraph (A), the Assistant Secretary shall submit to the President and the Congress a report specifying the research priorities of the Office and any public comment and suggestions obtained under such subparagraph.

(e) ADDITIONAL RESPONSIBILITIES OF THE BOARD.—It shall also be the responsibility of the Board to—

(1) provide advice and assistance to the Assistant Secretary in carrying out the coordination activities described in section 405;

(2) make recommendations to the Assistant Secretary of persons qualified to fulfill the responsibilities of the Director for each research institute established by section 405B after making special efforts to identify qualified women and minorities and soliciting and giving due consideration to recommendations from professional associations and interested members of the public;

(3) advise and make recommendations to the President with respect to individuals who are qualified to fulfill the responsibilities of the Assistant Secretary for the Office of Educational Research and Improvement; and

(4) review and approve standards for the conduct and evaluation of research developed by the Assistant Secretary pursuant to subsection (h) of section 405.

(f) STANDING SUBCOMMITTEES.—

(1) ESTABLISHMENT; FUNCTIONS.—The Board shall establish a standing subcommittee for each of the Institutes established by subsection (a) of section 405B and for the Office of Reform Assistance and Dissemination established by subsection (b) of section 405C which shall advise, assist, consult with and make recommendations to the Assistant Secretary, the Board, the Director of such entity and the Congress on matters related to the activities carried out by and through such entities.

(2) COMPOSITION.—

(A) Each standing subcommittee shall consist of 3 members of the Board and 6 additional individuals appointed by the Board who have significant experience in and knowledge of the disciplines relevant to the purposes of the entity for which the subcommittee is established.

(B) The Board shall assure that the membership of each subcommittee includes both educational researchers and persons who are knowledgeable about the research, development and dissemination needs of practitioners, including classroom teachers, school administrators, and members of State or local boards of education.

(g) POWERS OF THE BOARD.—In carrying out its functions, powers, and responsibilities, the Board—

(1) shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of

officers or employees of the United States, appoint a director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule who shall assist in carrying out and managing the activities of the Board and perform such other functions the Board determines to be necessary and appropriate;

(2) shall hire its own staff through routine Government procedures;

(3) may arrange for the detail of staff personnel and utilize the services and facilities of any agency of the Federal Government;

(4) may enter into contracts, or make other arrangements as may be necessary to carry out its functions;

(5) may review any grant, contract, or cooperative agreement made or entered into by the Office;

(6) may, to the extent otherwise permitted by law, obtain directly from any department or agency of the United States such information as it deems necessary to carry out its responsibilities;

(7) may convene workshops and conferences, collect data, and establish subcommittees which may be composed of members of the Board and nonmember consultants (including employees of the Department) with expertise in the particular area addressed by such subcommittees; and

(8) shall establish such rules and procedures to govern its operations as it considers appropriate, to the extent otherwise permitted by law.

(h) MEMBERSHIP IN GENERAL.—

(1) QUALIFICATIONS.—The members of the Board shall be eminent persons who, by virtue of their training, experience, and background, are exceptionally qualified to appraise the educational research and development effort of the Nation and to establish policies and priorities to govern future Federal investment in educational research, development, and dissemination.

(2) BROAD REPRESENTATION.—Due consideration shall be given to the gender, race, and ethnicity of appointees to assure that the Board is broadly representative of the diversity of the Nation.

(3) LIMITATION.—A voting member of the Board may not serve on any other governing or advisory board within the Department of Education.

(4) CONFLICT OF INTEREST.—A voting member of the Board shall be considered a special Government employee for the purposes of the Ethics in Government Act of 1978.

(i) SECRETARIAL APPOINTMENTS.—The Board shall consist of 18 members appointed by the Secretary. Of the members of the Board—

(1) seven shall be appointed from among researchers in the field of education who have been nominated by the National Academy of Sciences and the National Academy of Education (giving due consideration to recommendations made by the American Educational Research Association), including persons who are among the leading authorities on early childhood education and the education of at-risk students;

(2) five shall be outstanding field-based professional educators;

(3) one shall be a Chief State School Officer;

(4) one shall be a local education agency school superintendent or principal;

(5) one shall be a member of a State or local board of education or Bureau of Indian Affairs-funded school board;

(6) one shall be a professional librarian, school library media specialist, library administrator, or library science educator;

(7) one shall be a parent with extensive experience in promoting parental involvement in education; and

(8) one shall be an individual from business and industry with significant experience in promoting private sector involvement in education.

(j) REQUIREMENTS FOR NOMINATIONS BY THE NATIONAL ACADEMY OF SCIENCES AND THE NATIONAL ACADEMY OF EDUCATION.—

(1) IN GENERAL.—In making nominations for the members of the Board described in subsection (i)(1), the National Academy of Sciences and the National Academy of Education—

(A) may not nominate any individual who is an elected officer or employee of such organizations; and

(B) shall each nominate not less than 5 individuals for each of the positions on the Board for which such organization has responsibility for making nominations.

(2) REQUEST FOR ADDITIONAL NOMINATIONS.—In the event that the Secretary determines that none of the individuals nominated by the National Academy of Sciences or the National Academy of Education meets the qualifications for membership on the Board specified in subsection (i), the Secretary may request that such organization make additional nominations.

(k) NOMINATIONS FOR BOARD MEMBERSHIP.—Prior to appointing any member of the Board, the Secretary shall actively solicit and give due consideration to recommendations of persons qualified for membership on the board from the National Education Association, the American Federation of Teachers, the National Parent-Teachers Association, the American Library Association, the American Association of School Administrators, the National Association of State Boards of Education, the National Indian School Board Association, the Association of Community Tribal Schools, the National Indian Education Association, and other education-related organizations and interested members of the public.

(l) EX OFFICIO MEMBERS.—The ex officio, nonvoting members of the Board shall include the Assistant Secretary and may also include—

(1) the Director of Research for the Department of Defense;

(2) the Director of Research for the Department of Labor;

(3) the Director of the National Science Foundation;

(4) the Director of the National Institutes of Health;

(5) the chair of the National Endowment for the Arts;

(6) the chair of the National Endowment for the Humanities;

(7) the Librarian of Congress; and

(8) the Director of the Office of Indian Education Programs of the Department of the Interior.

(m) CHAIR.—The Board shall select a Chair from among its appointed members who shall serve for a renewable term of 2 years.

(n) TERMS OF OFFICE.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the term of office of each voting member of the Board shall be 5 years.

(2) EXCEPTIONS.—

(A) Any individual appointed to fill a vacancy occurring on the Board prior to the expiration of the term for which the predecessor of the individual was appointed shall be appointed for the remainder of the term. A vacancy shall be filled in the same manner in which the original appointment was made.

(B) The terms of office of the members of the Board who first take office after the date of the enactment of the Educational Research, Development, and Dissemination Excellence Act shall, as designated by a random selection process at the time of appointment, be as follows:

(i) 2 years for each of 6 members of the Board.

(ii) 3 years for each of 6 members of the Board.

(iii) 5 years for each of 6 members of the Board.

(3) PROHIBITION ON CERTAIN CONSECUTIVE TERMS.—An individual who has been a member of the Board for 10 consecutive years shall thereafter be ineligible for appointment during the 5-year period beginning on the date of the expiration of the 10th year.

(o) MEETINGS OF BOARD.—

(1) INITIAL MEETING.—The Secretary shall ensure that the first meeting of the Board is held not later than May 15, 1994.

(2) SUBSEQUENT MEETINGS.—The Board shall meet quarterly, at the call of the Chair, and when at least one-third of the members of the Board make a written request to meet.

(3) QUORUM.—A majority of the Board shall constitute a quorum.

(4) OPEN MEETINGS.—The Government in the Sunshine Act (5 U.S.C. 552b) shall apply to meetings of the Board.

NATIONAL RESEARCH INSTITUTES

SEC. 405B. (a) ESTABLISHMENT OF INSTITUTES.—In order to fulfill the research and development purposes of the Office, and to carry out, in accordance with the standards established by the Board, a program of high-quality and rigorously evaluated research and development that is capable of improving Federal, State, Indian tribal, and local education policies and practices, there are established within the Office the following institutes:

(1) The National Institute for the Education of At-Risk Students.

(2) The National Institute for Innovation in Educational Governance, Finance, Policy-Making, and Management.

(3) The National Institute for Early Childhood Development and Education.

(4) The National Institute on Student Achievement.

(5) The National Institute on Postsecondary Education, Libraries, and Lifelong Education.

(b) DIRECTORS.—

(1) IN GENERAL.—Each Institute established by subsection (a) shall be headed by a Director who shall be appointed by the Assistant Secretary from among persons who have significant experience and expertise in the disciplines relevant to the purposes of such Institute. Prior to making such appointment, the Assistant Secretary shall solicit and give due consideration to recommendations made by the Board of persons qualfied to fulfill the position.

(2) TERM OF OFFICE.—The Director of each Institute shall serve for a renewable term of 3 years.

(3) REPORTING.—Each Director shall report directly to the Assistant Secretary regarding the activities of the Institute and shall work with the other directors to promote research syntheses across the Institutes.

(c) AUTHORITIES AND DUTIES.—

(1) IN GENERAL.—The Assistant Secretary is authorized to conduct research, development, demonstration, and evaluation activities to carry out the purposes for which such Institute was established—

(A) directly;

(B) through grants, contracts, and cooperative agreements with institutions of higher education, regional educational laboratories, public and private organizations, institutions, agencies, and individuals, which may include—

(i) grants to support research and development centers which are—

(I) awarded competitively for a period of not less than 6 and not more than 10 years;

(II) funded at not less than $2,000,000 annually in order to support a full range of basic research, applied research and dissemination activities, which may also include development activities; and

(III) established by institutions of higher education, by institutions of higher education in consortium with public agencies or private nonprofit organizations, or by interstate agencies established by compact which operate subsidiary bodies established to conduct postsecondary educational research and development;

(ii) public-private research partnerships established by a State or local education agency, Bureau of Indian Affairs-funded school, or tribal department of education, in concert with a private organization and a team of educational researchers, for which the Federal share shall be limited to not more than 50 percent of the total costs of the project;

(iii) meritorious unsolicited proposals for educational research and related activities;

(iv) proposals that are specifically invited or requested by the Assistant Secretary, on a competitive basis; and

(v) dissertation grants, awarded for a period of not more than 2 years and in a total amount not to exceed $20,000 to graduate students in the sciences, humanities, and the arts to support research by such scholars in the field of education;

(C) through the provision of technical assistance; and

(D) through the award of fellowships to support graduate study in educational research by qualified African-American, Hispanic, American Indian and Alaska Native, and other individuals from groups which have been traditionally underrepresented in the field of educational research which shall—

(i) be awarded on the basis of merit for a period of 3 years; and

(ii) provide stipends to each fellow in an amount which shall be set at a level of support comparable to that provided by the National Science Foundation Graduate Fellowships, except that such amounts shall be adjusted as necessary so as not to exceed each fellow's demonstrated level of need.

(2) SCOPE AND FOCUS OF ACTIVITIES.—In carrying out the purposes for which each Institute is established, the Assistant Secretary shall—

(A) maintain an appropriate balance between applied and basic research;

(B) significantly expand the role of field-initiated research in meeting the Nation's education research and development needs by reserving not less than 15 percent of the amounts available to each Institute in any fiscal year to support field-initiated research described in clauses (iii) through (v) of paragraph (1);

(C) provide for and maintain a stable foundation of long-term research and development on core issues and concerns conducted through university-based research and development centers by reserving not less than one-third of the amounts available to each Institute in any fiscal year to support such research and development centers;

(D) support and provide research information that leads to policy formation for State legislatures, State and local boards of education and other policy and governing bodies, to assist such entities in identifying and developing effective policies to promote student achievement and school improvement; and

(E) coordinate the Institute's activities with the activities of the regional educational laboratories and with other educational service organizations in designing the Institute's research agenda and projects in order to increase the responsiveness of such Institute to the needs of teachers and the educational field and to bring research findings directly into schools to ensure greatest access at the local level to the latest research developments.

(3) REQUIREMENTS REGARDING FINANCIAL ASSISTANCE.—No grant, contract, or cooperative agreement may be made under this section unless—

(A) sufficient notice of the availability of, and opportunity to compete for, assistance has first been provided to potential applicants through notice published in the Federal Register or other appropriate means;

(B) it has been evaluated through peer review in accordance with the standards developed pursuant to subsection (h) of section 405;

(C) it will be evaluated in accordance with the standards developed pursuant to subsection (h) of section 405;

(D) in the case of a grant, contract, or cooperative agreement which exceeds $500,000 for a single fiscal year or $1,000,000 for more than one fiscal year, the Secretary has complied with the requirements of paragraph (4); and

(E) in the case of a grant, contract, or cooperative agreement to support a research and development center, all applications for such assistance have been evaluated by independent experts according to standards and criteria which include—

(i) whether applicants have assembled a critical mass of high quality researchers sufficient to achieve the mission of the center;

(ii) whether the proposed organizational structure and arrangements will facilitate achievement of the mission of the center;

(iii) whether there is a substantial staff commitment to the work of the center;

(iv) whether the directors and staff will devote adequate time to center activities; and

(v) review of the contributions of primary researchers (other than researchers at the proposed center) to evaluate the appropriateness of such primary researcher's experiences and expertise in the context of the proposed center activities, and the adequacy of such primary researcher's time commitment to achievement of the mission of the center.

(4) BOARD REVIEW OF CERTAIN PROPOSED GRANT AND CONTRACT ACTIONS.—The Assistant Secretary may not solicit any contract bid or issue a request for proposals or applications for any grant or cooperative agreement the amount of which exceeds $500,000 in any single fiscal year or which exceeds an aggregate amount of $1,000,000 for more than one fiscal year unless the Board has had an opportunity to review such proposed grant, contract, or cooperative agreement action and to provide written comments to the Assistant Secretary with respect to whether—

(A) the purposes and scope of the proposed action are consistent with the Research Priorities Plan; and

(B) the methodology and approach of the proposed action are sound and adequate to achieve its stated objectives.

(5) HISTORICALLY UNDERUTILIZED RESEARCHERS AND INSTITUTIONS.—The Assistant Secretary shall establish and maintain initiatives and programs to increase the participation in the activities of each Institute of groups of researchers and institu-

tions that have been historically underutilized in Federal educational research activities, including—

(A) researchers who are women, African-American, Hispanic, American Indian and Alaska Native, or other ethnic minorities;

(B) promising young or new researchers in the field, such as postdoctoral students and recently appointed assistant or associate professors;

(C) historically black colleges and universities, tribally controlled community colleges, and other institutions of higher education with large numbers of minority students;

(D) institutions of higher education located in rural areas; and

(E) institutions and researchers located in States and regions of the Nation which have historically received the least Federal support for educational research and development.

(6) ADDITIONAL AUTHORITIES.—The Assistant Secretary—

(A) may obtain (in accordance with section 3109 of title 5 but without regard to the limitation in such section on the period of service) the services of experts or consultants with scientific or professional qualifications in the disciplines relevant to the purposes of such Institute;

(B) may use, with their consent, the services, equipment, personnel, information, and facilities of other Federal, State, or local public agencies, with or without reimbursement therefor;

(C) may accept voluntary and uncompensated services; and

(D) may accept unconditional gifts made to the Office to support its activities.

(d) NATIONAL INSTITUTE FOR THE EDUCATION OF AT-RISK STUDENTS.—

(1) FINDINGS.—The Congress finds as follows:

(A) The rate of decline in our urban schools is escalating at a rapid pace. Student performance in most inner city schools grows worse each year. At least half of all students entering ninth grade fail to graduate 4 years later and many more students from high-poverty backgrounds leave school with skills that are inadequate for today's workplace. In 1988 the average National Assessment of Educational Progress (NAEP) reading score of white 17 year-olds was approximately 20 points higher than that of African-American 17 year-olds and 25 points higher than that of Hispanic 17 year-olds. None of the existing Federal educational research and development programs are adequately addressing this obvious emergency.

(B) Rural schools enroll a disproportionately large share of the Nation's poor and at-risk students and yet often lack the means to address effectively the needs of these children. Intensive efforts must be made to overcome the problems of geographic isolation, declining population, inadequate financial resources and other impediments to the educational success of children residing in rural areas.

(C) By the year 2000, an estimated 3.4 million school age children with limited English language proficiency will be entering the school system. The Federal Government must develop effective policies and programs to address the educational needs of this growing population of children who are at increased risk for educational failure.

(D) An educational emergency exists in those urban and rural areas where there are large concentrations of children who live in poverty. The numbers of educationally disadvantaged children will substantially increase by the year 2020, when the number of impoverished children alone will be 16.5 million, a 33 percent increase over the 12.4 million children in poverty in 1987.

(E) American Indian and Alaska Native students are keenly at-risk of educational failure, with demonstrated high dropout, illiteracy and poverty rates, and cultural, linguistic, social and geographic isolation. The estimated 400,000 Indian and Alaska Native student population from over 500 Indian and Alaska Native tribes, is small and scattered throughout remote reservations and villages in 32 States, and in off-reservation rural and urban communities where Indians constitute but a small percentage of public school student bodies. To meaningfully address the special educational needs of this historically under-served population, the existing research and development system must be opened to Indian and Alaska Native people to identify needs and design ways to address such needs.

(F) Minority scholars as well as institutions and groups that have been historically committed to the improvement of the education of at-risk students need to be more fully mobilized in the effort to develop a new generation of programs, models, practices, and schools capable of responding to the urgent needs of students who are educationally at-risk.

(2) PURPOSE.—It shall be the purpose of the Institute for the Education of At-Risk Students to carry out a coordinated and comprehensive program of research and development to provide nonpartisan, research-based leadership to the Nation as it seeks to improve educational opportunities for students who are at-risk for educational failure, particularly children who reside in inner city and rural areas, and on Indian reservations, and children of limited English proficiency. Such program shall—

(A) undertake research necessary to provide a sound basis from which to identify, develop, evaluate, and assist others to replicate and adapt interventions, programs, and models which promote greater achievement and educational success by at-risk students, such as—

(i) methods of instruction and educational practices (including community services) which improve the achievement and retention of at-risk students;

(ii) means by which parents and community resources and institutions (including cultural institutions) can be utilized to support and improve the achievement of at-risk students;

(iii) the training of teachers and other educational professionals and paraprofessionals to work more effectively with at-risk students;

(iv) the most effective uses of technology in the education of at-risk students;

(v) programs designed to promote gender equity in schools that serve at-risk students; and

(vi) methods of assessing the achievement of students which are sensitive to cultural differences, provide multiple methods of assessing student learning, support student acquisition of higher order capabilities, and enable identification of the effects of inequalities in the resources available to support the learning of children throughout the Nation; and

(B) maximize the participation of those schools and institutions of higher education that serve the greatest number of at-risk students in inner city and rural areas, and on Indian reservations, including model collaborative programs between schools and schools systems, institutions of higher education, cultural institutions, and community organizations.

(3) COMPREHENSIVE RESEARCH PROGRAM.—The Institute shall support a diverse and comprehensive program of research and development which shall include research related to the educational needs of—

(A) at-risk students who reside in urban areas;

(B) at-risk students who reside in rural areas;

(C) children with limited English language proficiency; and

(D) Indian and Alaska Native students.

(4) CONSULTATION WITH INDIAN AND ALASKA NATIVE EDUCATORS.—All research and development activities supported by the Institute which relate to the education of Indian and Alaska Native students shall be developed in close consultation with Indian and Alaska Native researchers and educators, tribally controlled community colleges, tribal departments of education, and others with expertise in the needs of Indian and Native Alaska students.

(e) NATIONAL INSTITUTE FOR INNOVATION IN EDUCATIONAL GOVERNANCE, FINANCE, POLICY-MAKING, AND MANAGEMENT.—

(1) FINDINGS.—The Congress finds as follows:

(A) Many elementary and secondary schools in the United States—

(i) are structured according to models that are ineffective and rely on notions of management and governance that may be outdated or insufficient for the challenges of the next century; and

(ii) are unsuccessful in equipping all students with the knowledge and skills needed to succeed as citizens and in the working world.

(B) New approaches are needed in the governance and management of elementary and secondary education with the United States at the State, local, school building and classroom level.

(C) Not enough is known about the effects of various systems of school governance and management on student achievement to provide sound guidance to policymakers as they pursue school restructuring and reform.

(D) A concentrated Federal effort is needed to support research, development, demonstration, and evaluation of approaches to school governance, finance and management which promise to improve education equity and excellence throughout the Nation.

(2) PURPOSE.—It shall be the purpose of the National Institute on Innovation in Educational Governance, Finance, Policy-Making, and Management to carry out a coordinated and comprehensive program of research and development to provide nonpartisan, research-based leadership to the Nation as it seeks to improve student achievement through school restructuring and reform. Such program shall—

(A) undertake research necessary to provide a sound basis from which to identify, develop and evaluate approaches in governance, finance, policy-making, and management at the State, local, tribal, school building and classroom level which promise to improve educational equity and excellence, such as—

(i) open enrollment programs, magnet schools and other systems through which parents may select the public schools and educational programs in which their children are enrolled;

(ii) innovative school design, including lengthening the school day and the school year, reducing class size and building professional development into the weekly school schedule;

(iii) effective approaches to organizing learning;

(iv) effective ways of grouping students for learning so that a student is not labeled or stigmatized in ways that may impede such student's achievement;

(v) effective approaches to organizing, structuring, and financing vocational education;

(vi) the provision of financial and other rewards and incentives based on performance to improve student achievement;

(vii) the use of regulatory flexibility on the State or district level to promote innovation and school restructuring;

(viii) school-based management;

(ix) the restructuring of school finance systems at the State and local level to promote greater equity in the distribution of resources for education and to maximize the allocation of such resources to support direct learning;

(x) expanding the role of teachers in policymaking and administration at the school and district-wide level;

(xi) programs designed to increase the involvement of parents and families in the management and governance of schools and the education of their children;

(xii) effective approaches to increasing the representation of women and minorities among leadership and management positions in education;

(xiii) approaches to systemic reforms involving the coordination of multiple policies of each level of government to promote higher levels of student achievement;

(xiv) approaches to coordinated services for children; and

(xv) policies related to school to work transitions and preparing noncollege-bound students; and

(B) undertake research and development activities necessary to provide information on the skills required for successful educational leadership at the State, tribal, and local level and to enhance the ability of school leaders and administrators to improve the educational environment for all students.

(3) RESEARCH ON EDUCATIONAL CHOICE.—In carrying out the duties of the Institute, the Assistant Secretary shall conduct or support research on whether and to what extent the quality of education in the United States would be improved by providing public funds to parents for the costs of attendance of their children at the elementary and secondary schools of the parents' choice.

(f) NATIONAL INSTITUTE FOR EARLY CHILDHOOD DEVELOPMENT AND EDUCATION.—

(1) FINDINGS.—The Congress finds as follows:

(A) The Nation has set as a goal that all children should arrive at school ready to learn.

(B) Despite efforts to expand and improve preschool programs, many children still reach school age unprepared to benefit from formal education programs.

(C) Early intervention for disadvantaged children from conception to age five has been shown to be a highly cost-effective strategy for reducing later expenditures on a wide variety of health, developmental, and educational problems that often interfere with learning. Long-term studies of the benefits of preschool education have a demonstrated return on investment ranging from three to six dollars for every one dollar spent.

(D) The Federal government should play a central role in providing research-based information on early childhood education models which enhance children's development and ultimately their success in school.

(2) PURPOSE.—The purpose of the National Institute for Early Childhood Development and Education is to carry out a comprehensive program of research and development to provide nonpartisan, research-based leadership to the Nation as it seeks to improve early childhood development and education. Such program shall identify, develop, evaluate, and assist others to replicate sound policies and practices that may include—

(A) social and educational development of all infants, toddlers, and preschool children;

(B) the role of parents and the community in promoting the successful social and educational development of children from birth to age five;

(C) training and preparation of teachers and other professional and paraprofessional preschool and child care workers;

(D) the structure and environment of early childhood education and child care settings which lead to improved social and educational development;

(E) practices and approaches which sustain the benefits of effective preschool and child care programs;

(F) effective learning methods and curriculum for early childhood learning, including access to current materials in libraries;

(G) the importance of family literacy and parental involvement in student learning;

(H) the impact that outside influences have on learning, including television, and drug and alcohol abuse; and

(I) methods for integrating learning in settings other than the classroom, such as within families and communities, with a special emphasis on character development and the value of hard work.

(3) CERTAIN REQUIREMENTS.—In carrying out the activities of the Institute, the Assistant Secretary shall—

(A) place special emphasis on the special early childhood education needs of at-risk children, children with disabilities, and girls; and

(B) ensure that its research and development program provides information that can be utilized in improving the major Federal early childhood education programs, including Head Start, Even Start, chapter 1 preschool programs, and part H of the Individuals with Disabilities Education Act, and Bureau of Indian Affairs early childhood development programs.

(g) NATIONAL INSTITUTE ON STUDENT ACHIEVEMENT.—

(1) FINDINGS.—The Congress finds as follows:

(A) The current achievement levels of students in the Nation are far below those that might indicate competency in challenging subject matter in English, mathematics, science, history, and geography and other areas, or across the subject areas.

(B) Very few students demonstrate that they can use their minds well. In recent assessments, more students are gaining basic skills, yet fewer are demonstrating a grasp of higher-level applications of those skills.

(C) During the past 20 years, relatively little has changed in how students are taught. Despite much research suggesting better alternatives, classrooms are still dominated by textbooks, teacher lectures, and short-answer activity sheets and unequal patterns of student attention.

(D) Despite progress in narrowing the gaps, the differences in performance between white students and their

minority counterparts remain unacceptably large. While progress has been made in reducing the gender gap in mathematics, it still remains at higher levels of problem solving. Too little progress has been made in reducing gender performance gaps favoring males in science and females in writing.

(2) PURPOSE.—The purpose of the National Institute on Student Achievement is to carry out a coordinated and comprehensive program of research and development to provide research-based leadership to the Nation as it seeks to improve student achievement in English, mathematics, science, history, geography, and other subject areas and across the boundaries of the subject areas. Such program shall—

(A) identify, develop, and evaluate innovative and exemplary methods to improve student knowledge at all levels in English, mathematics, science, history, geography, civics and government, foreign languages, arts and humanities, economics, and other subject areas, such as—

(i) student learning and assessment in various subject matters;

(ii) the effects of organizational patterns on the delivery of instruction, including issues of grouping and tracking, ungraded classrooms, and on the effects of various pedagogies, including the issues of technology in education;

(iii) the best methods of teacher preparation;

(iv) methods to improve the process of reading, the craft of writing, the growth of reasoning skills, and the development of information-finding skills;

(v) enabling students to develop higher order thinking skills;

(vi) methods to teach effectively all students in mixed-ability classrooms;

(vii) curriculum, instruction, and assessment, in vocational education;

(viii) the impact and effectiveness of Federal, State, and local efforts to provide gender-fair educational opportunities to elementary and secondary students; and

(ix) programs, policies, approaches which promote gender equity in elementary and secondary education;

(B) conduct basic and applied research in the areas of human learning, cognition, and performance, including research and development on the education contexts which promote excellence in learning and instruction, and motivational issues which provide a key to learning;

(C) identify, develop, and evaluate programs designed to enhance academic achievement and narrow racial and gender performance gaps in a variety of subject areas, including research and development on methods of involving parents in their children's education and ways to involve business, industry and other community partners in promoting excellence in schools; and

(D) include a comprehensive, coordinated program of research and development in the area of assessment which—

(i) addresses such issues as—

(I) the validity, reliability, generalizability, fairness, costs, relative merits, and most appropriate uses of various approaches and methods of assessing student learning and achievement;

(II) methods and approaches to assessing student opportunities to learn (including the quality of instruction and the availability of resources necessary to support learning) and evaluating the quality of school environment;

(III) the design, development, evaluation, and validation of model performance-based and other alternative or innovative formats or uses of assessments;

(IV) the impact of high-stakes uses of assessment on student performance and motivation, narrowing of curriculum, teaching practices, and test integrity;

(V) the fairness and impact of various methods of assessment on children of different races, ethnicities, gender, socioeconomic status, English language proficiencies, and children with other special needs;

(VI) standards of performance, quality, and validity for various methods of assessment and the means by which such standards should be developed;

(VII) current and emerging testing practices of State and local education agencies within the United States, as well as other nations;

(VIII) the diverse effects, both intended and unintended, of assessments as actually used in the schools, including effects on curriculum and instruction, effects on equity in the allocation of resources and opportunities, effects on equity of outcomes, effects on other procedures and standards for judging students and practitioners and possible inflation of test scores;

(IX) identifying and evaluating how students with limited English language proficiency and students with disabilities are included and accommodated in the various assessment programs of State and local education agencies; and

(X) the feasibility and validity of comparing or equating the results of different assessments;

(ii) reflects recommendations made by the National Education Goals Panel (provided such panel has been authorized by law);

(iii) complies with the "Standards for Educational and Psychological Tests" developed by the American Psychological Association, the National Council on Measurement in Education, and the American Educational Research Association;

(iv) is consistent with the "Criteria for Evaluation of Student Assessment Systems" developed by the National Forum on Assessment; and

(v) complies with the "Code of Fair Testing Practices in Education" developed by the Joint Committee on Testing Practices.

For purposes of this subparagraph, the term "development" means the development of prototypes for the purposes of research and evaluation.

(h) NATIONAL INSTITUTE FOR POSTSECONDARY EDUCATION, LIBRARIES, AND LIFELONG LEARNING.—

(1) FINDINGS.—The Congress finds as follows:

(A) The American system of postsecondary education is foremost in the world in its achievement of both academic excellence and equity in access, but maintaining that preeminence requires renewed efforts to strengthen the quality of postsecondary education. Disappointing student performance on achievement tests and licensure examinations, declining rates of persistence and completion among minorities, and other troubling trends in the quality of postsecondary education must be addressed by the Nation as part of its overall drive to improve American education.

(B) The need to improve our Nation's economic productivity to meet the competitive challenges of a new, international economy, coupled with high levels of mobility in the United States labor market and demographic changes in the workforce, now demands more and higher quality programs of learning and training in the American workplace.

(C) The more than 1,000,000 men and women incarcerated in the Nation's prisons and jails are among the most severely educationally disadvantaged in the United States, with high rates of functional illiteracy and extremely low levels of educational attainment. Since an estimated 90 percent of these individuals are expected to be released by the end of the decade, the Nation must act to assure that our correctional system has the means to equip these Americans with the knowledge and skills they will need to participate productively in our society.

(D) The development of a "Nation of Students" capable of and committed to the pursuit of formal and informal lifelong learning is essential to sustain both national and individual economic success and to provide a nurturing environment in which all children and youth can learn and achieve. Historically the most effective community resource for lifelong learning, the Nation's public library system must expand and restructure its delivery of services to take full advantage of the potential of new information technologies to meet the needs of learning communities.

(2) PURPOSE.—The purpose of the National Institute for Postsecondary Education, Libraries, and Lifelong Learning is to promote greater coordination of Federal research and development on issues related to adult learning and to carry out a program of research and development in adult learning to provide

nonpartisan, research-based leadership to the Nation as it seeks to improve libraries, postsecondary education, and lifelong learning throughout the United States. Such program—

(A) shall promote greater coordination, cooperation, and interaction among entities within the Federal Government which support research and development related to postsecondary education, libraries, and lifelong learning;

(B) shall enable greater collaboration among entities within the Federal Government which support research and development related to postsecondary education, libraries, and lifelong learning by supporting research and development projects which are carried out jointly by such entities;

(C) shall support research and development in those areas of postsecondary education, libraries, and lifelong learning which are not being addressed sufficiently by other entities within the Federal Government;

(D) may include basic and applied research, development, replication, and evaluation activities in such areas as—

(i) methods of assessing and evaluating individual, program, and institutional performance;

(ii) the uses and applications of new technologies to improve program effectiveness and enhance student learning;

(iii) practices, policies, and programs which address the unique needs of adult learners, including—

(I) institutional and classroom policies and practices at the postsecondary level necessary to improve matriculation, persistence, achievement and graduation by students who are economically disadvantaged, ethnic and racial minorities, women, older, working, and who have children;

(II) instructional practices and programs which are effective in correctional settings;

(III) new models of service delivery for public library systems which expand opportunities for lifelong learning;

(IV) effective programs and approaches which promote greater access to and success by minorities in postsecondary programs which prepare them for scientific, technical, teaching, and health career fields;

(V) effective approaches to work-based learning; and

(VI) the most effective training methods for adults to upgrade education and vocational skills;

(iv) the effectiveness of Historically Black Colleges and Universities, Tribally-Controlled Indian Community Colleges, women's colleges, and other special mission institutions in fulfilling their mission of providing access and equal opportunity in higher education;

(v) the quality of higher education at all levels and the roles and responsibilities of regional and national accrediting agencies in assuring the quality and rel-

evance of academic goals and objectives established by institutions of higher education;

(vi) approaches to improving the productivity of colleges, community colleges, universities, and other postsecondary institutions;

(vii) financial barriers to postsecondary educational opportunity, including—

(I) the role of Federal programs authorized under title IV of the Higher Education Act and State grant and work programs in mitigating such barriers;

(II) the impact of the rising total cost of postsecondary education on access to higher education; and

(III) the extent and impact of student reliance on loans to meet the costs of higher education;

(viii) opportunities for adults to continue their education beyond higher education and graduate school, in the context of lifelong learning and information-finding skills; and

(ix) preparing students for a lifetime of work, the ability to adapt through retraining to the changing needs of the work force and the ability to learn new tasks.

(3) INVOLVEMENT OF CERTAIN AGENCIES AND ORGANIZATIONS.—In promoting coordination and collaboration on research and development on issues related to postsecondary education, libraries, and lifelong learning, the Institute shall, as appropriate, seek the involvement of—

(A) within the Department of Education—

(i) the Office of Library Programs;

(ii) the Office of Correctional Education;

(iii) the Office of Vocational and Adult Education;

(iv) the National Institute on Disability and Rehabilitation Research; and

(v) the Office of Postsecondary Education;

(B) the National Institute for Literacy;

(C) the National Board for Professional Teaching Standards;

(D) the Employment and Training Administration of the Department of Labor;

(E) the Administration for Children and Families within the Department of Health and Human Services;

(F) the National Institutes of Health;

(G) the National Endowment for Humanities;

(H) the National Endowment for the Arts;

(I) the Bureau of Prisons of the Department of Justice;

(J) the Department of Commerce;

(K) the Department of Defense; and

(L) the Office of Indian Education Programs of the Department of the Interior.

(4) In addition to the responsibilities described in paragraph (2), the Assistant Secretary shall ensure that the activities of the

existing National Center on Literacy are fully coordinated with those of the National Institute for Literacy.

(i) COORDINATION OF RESEARCH ON CROSS-CUTTING ISSUES.—The Assistant Secretary shall promote the coordination of research and development activities among the Institutes established by subsection (a) to investigate those cross-cutting disciplines and areas of inquiry, such as assessment, the use of technology and the training of teachers and school administrators, which are relevant to the missions of more than one of the Institutes. Such activities shall—

(1) address cross-cutting disciplines and areas of inquiry which have been proposed by the Assistant Secretary and are consistent with the research priorities identified by the Board;

(2) be carried out jointly (1) by any one of the Institutes and—

(A) one (or more) of the Institutes;

(B) the National Center for Education Statistics; or

(C) any research and development entity administered by other offices of the Department of Education or by any other Federal agency or Department; and

(3) meet all the standards set by the Assistant Secretary and the Board for other research and development conducted by the Office.

(j) PROGRAM ON TEACHING AND TEACHER EDUCATION.—

(1) IN GENERAL.—The Assistant Secretary, in accordance with the requirements of this subsection, shall undertake a comprehensive, coordinated program of research in the area of teaching, teacher education, and professional development.

(2) CERTAIN PURPOSES OF PROGRAM.—In carrying out the program established under paragraph (1), the Assistant Secretary shall conduct, directly or through grants and contracts, basic and applied research and analytical activities to further knowledge about, make recommendations, and improve—

(A) the ability of classroom teachers and schools to assist new and diverse populations of students in successfully assimilating into the classroom environment;

(B) the working conditions of teachers and other educational practitioners, which may include such topics as—

(i) teacher isolation;

(ii) professional resources available to teachers;

(iii) continuing educational and professional opportunities available to teachers;

(iv) physical facilities and equipment, such as office space, telephone, computer access, and fax machines and television cable access available to teachers in the work environment;

(v) opportunities for teachers to share information and resources with other teachers and education professionals;

(vi) opportunities for advanced learning experience; and

(vii) the reduction of stress in the teaching profession;

(C) institutional program renewal and instruction;

(D) restructuring of State certification of teachers and teacher education standards; and

(E) assisting in the development of teacher certification standards by Indian tribal departments of education.

(3) CERTAIN ACTIVITIES.—In carrying out the program established under paragraph (1), the Assistant Secretary—

(A) shall work with institutions of higher education engaged in the preparation of teachers and professional organizations of teacher educators and practitioners to encourage institutional program renewal and restructuring;

(B) may conduct, directly or through grants and contracts research on—

(i) effective and reflective teaching for the preparation and continuing education of teachers;

(ii) the use of computing and multi-made technology to advance the understanding and abilities of teacher educators and classroom teachers;

(iii) the development and appraisal of curriculum and curriculum materials for the initial and continuing education of teachers and teacher educators; and

(iv) strengthening the evaluation and dissemination of information on programs for continuing professional education and renewal of those who educate teachers for initial or advanced licensure or certification; and

(C) shall work with the national regional education laboratories, the ERIC clearinghouses, national education research library, and the National Center for Education Statistics to maximize information available, to prevent unnecessary duplication of efforts and resources, and to ensure the results of the centers work are widely available.

(k) RESEARCH ON EDUCATIONAL TECHNOLOGY.—The Assistant Secretary shall undertake a comprehensive, coordinated program of research and development in the area of the uses and applications of technology in education. Such program—

(1) may support basic and applied research and development, analysis, evaluation in the area of the uses and applications of technology to education, including—

(A) the capabilities of current and emerging technologies and their possible uses in education;

(B) the uses and applications of technology—

(i) to improve instruction within all content areas in the school curriculum;

(ii) to educate more effectively at-risk students and other students with special needs;

(iii) to improve education in rural communities and other remote areas;

(iv) to improve the assessment of student learning and achievement;

(v) to deliver preservice and inservice training for teachers, librarians, and school administrators; and

(vi) to deliver and improve professional development and continuing education programs;

(C) the cost and educational effectiveness of technologies used in education;

(D) effective models and approaches for providing the preservice and inservice training and technical assistance

necessary to enable teachers, librarians, and school administrators, cultural organizations, and others to use technology effectively in education;

(E) the identification of barriers to greater use of technologies in education and potential approaches to eradicating or mitigating such barriers;

(F) methods and approaches which can be utilized by teachers, school administrators, and education policymakers, and educational programs in cultural institutions to evaluate the quality and most appropriate uses of software and other technologies designed for use in education; and

(G) approaches to organizing and managing schools and classrooms to make the most effective use of technology in education; and

(2) shall be coordinated with related research and development activities undertaken by the Office of Special Education Programs, the National Science Foundation, the Department of Defense, and other Federal agencies.

(l) TRANSITIONAL PROVISIONS.—

(1) TEMPORARY REORGANIZATIONS.—Upon the enactment of the Educational Research, Development and Dissemination Excellence Act, the Secretary shall reorganize the research and development functions and activities of the Office into administrative units the purposes of which shall be the same as those for each of the national research institutes established in subsection (a). Such administrative units shall be responsible for planning and providing for the establishment of such institutes and shall cease to exist on the dates upon which each of the relevant institutes is established. The provisions of subsection (c) (relating to authorities and duties) shall apply to all activities undertaken by each such administrative unit.

(2) DATES FOR ESTABLISHMENT OF INSTITUTES.—The National Institute for the Education of At-Risk Students, the National Institute for Innovation in Educational Governance, Finance, Policy-Making, and Management, the National Institute for Early Childhood Development and Education, the National Institute on Student Achievement, and the National Institute on Postsecondary Education, Libraries, and Lifelong Learning shall each be established effective October 1, 1994.

NATIONAL EDUCATION DISSEMINATION SYSTEM

SEC. 405C. (a) IN GENERAL.—

(1) FINDINGS.—The Congress finds as follows:

(A) In order to improve the American educational system for all students, achieve the national education goals, and provide for greater educational equity, policymakers, administrators, teachers, and parents must have ready access to the best information and methods available as a result of educational research and development.

(B) The Office of Educational Research and Improvement should have as one of its primary purposes the dissemination of such information and methods in order to assist the national education reform effort.

(C) All current resources within the Office, the Department, and other agencies that can help accomplish this goal should be coordinated by the Assistant Secretary so as to form a systematic process to accomplish these objectives.

(D) Education research has the capacity to improve teaching and learning in our Nation's schools, however, teachers need training in the developmental skills necessary to translate research into practice and to allow them to become a cadre of knowledgeable practitioners and leaders in educational improvement.

(E) Adequate linkages between research and development providers and practitioners are essential to ensuring that research on effective practice is useful, disseminated and supported with technical assistance to all educators, and that all educators are partners in the research and development process.

(2) PURPOSE.—The purpose of this section is to—

(A) create a national system of dissemination, development, and educational improvement in order to create, adapt, identify, validate, and disseminate to educators, parents, and policymakers those educational programs that have potential or have been shown to improve educational opportunities for all students; and

(B) empower and increase the capacity of teachers to participate in the research and development process.

(3) DEFINITION OF EDUCATIONAL PROGRAM.—For the purposes of this section, the term "educational program" includes educational policies, research findings, practices, and products.

(b) ESTABLISHMENT OF OFFICE.—

(1) IN GENERAL.—There is established within the Office an Office of Reform Assistance and Dissemination (in this section referred to as the "Dissemination Office") through which the Secretary shall carry out all functions and activities described in this section.

(2) CERTAIN DUTIES.—The Dissemination Office shall—

(A) identify educational programs that may merit being designated as exemplary or promising educational programs;

(B) based solely on the educational merits and promise of such programs, select those to be designated as exemplary or promising;

(C) provide technical and financial assistance to individuals and organizations in the process of developing promising educational programs in the priority areas identified in section 405(b)(3), but who might not, without such assistance, be able to complete necessary development and assessment activities;

(D) nationally disseminate information regarding the exemplary and promising programs to educators, parents, and policymakers through a variety of means, including existing Department activities, education associations and networks, and communication technologies;

(E) provide training and technical assistance regarding the implementation and adoption of such exemplary and promising programs by interested entities; and

(F) carry out a program of research on models for successful knowledge dissemination, and utilization, and strategies for reaching education policymakers, practitioners, and others interested in education.

(3) ADDITIONAL DUTIES.—The Dissemination Office shall carry out and contain the following functions and activities:

(A) A process for the identification of educational programs that work.

(B) The educational resources information clearinghouses.

(C) Dissemination through new technologies.

(D) Smartline.

(E) The regional educational laboratories.

(F) Teacher Research Dissemination Network.

(G) The Goals 2000 Community Partnerships Program.

(H) The existing National Diffusion Network and its Developer-Demonstrator and State Facilitator projects.

(I) Such other programs or entities the Secretary determines are consistent with the purposes for which the Dissemination Office is established.

(c) IDENTIFICATION OF PROGRAMS.—

(1) IN GENERAL.—The Assistant Secretary shall establish a process through which successful educational programs are actively sought out for possible dissemination through the national educational dissemination system. Such process shall, at a minimum, have the capability to—

(A) work closely with the research institutes, centers, regional educational laboratories, the National Diffusion Network and its Developer-Demonstrator and State Facilitator projects, learning grant institutions established under the Goals 2000 Community Partnerships Program, department-supported technical assistance providers, and other entities to identify successful educational programs at the regional, State, local, or classroom level;

(B) review successful educational programs supported by the Department through all of its programs, including Chapter 1, Even Start, Drug-Free Schools and Communities Act of 1986, the Individuals With Disabilities Education Act, Bilingual Education, Indian Education, the Women's Educational Equity Act, and Adult and Vocational Education;

(C) through cooperative agreements, review for possible inclusion in the system educational programs administered by the Departments of Health and Human Services (particularly the Head Start program), Labor and Defense, the National Science Foundation, the Department of the Interior (particularly the Office of Indian Education Programs), and any other appropriate Federal agency; and

(D) provide for an active outreach effort to identify successful educational programs through cooperative arrangements with State and local education agencies, teachers

and teacher organizations, curriculum associations, foundations, private schools, institutions of higher education, and other entities that could enhance the ability of the Secretary to identify programs for possible inclusion in the dissemination system.

(2) PRIORITY PROGRAMS.—In carrying out this subsection, the Secretary shall place a priority on identifying programs, products, and practices related to the priority research and development needs identified in section 405(b)(3).

(d) DESIGNATION OF EXEMPLARY AND PROMISING PROGRAMS.—

(1) IN GENERAL.—The Assistant Secretary, in consultation with the Board, shall establish 1 or more panels of appropriately qualified experts and practitioners to—

(A) evaluate educational programs that have been identified by the Secretary under subsection (c) or that have been submitted to the Secretary for such evaluation by some other individual or organization; and

(B) recommend to the Secretary programs that should be designated as exemplary or promising educational programs.

(2) CONSIDERATIONS IN MAKING RECOMMENDATIONS.—In determining whether an educational program should receive a recommendation under paragraph (1), a panel established under such paragraph shall consider—

(A) whether, based on empirical data, which may include but shall not be limited to test results, the program is effective and should thus be designated as exemplary and disseminated through the national dissemination system; or

(B) whether there is sufficient evidence to lead a panel of experts and practitioners to believe that the program shows promise for improving student achievement and should thus be designated as promising and disseminated through the national dissemination system while it continues to be evaluated.

(3) REQUIREMENT REGARDING APPROVAL OF PROGRAMS.—In seeking out programs for approval under paragraph (2), the Assistant Secretary shall seek programs that may be implemented at the State, local, and classroom level.

(4) REQUIREMENTS REGARDING PANELS.—

(A) A panel shall not eliminate a program from consideration under this subsection based solely on the fact that it does not have one specific type of supporting data, such as test scores.

(B) The Assistant Secretary may not designate a program as exemplary or promising unless a panel established under paragraph (1) has recommended that the program be so designated.

(C) The Secretary shall establish such panels under paragraph (1) as may be necessary to ensure that each program identified or submitted for evaluation is evaluated.

(D) Not less than 2/3 of the membership of a panel established under paragraph (1) shall consist of individuals who are not officers or employees of the United States. Members of panels under paragraph (1) who are not employees of the

United States shall receive compensation for each day engaged in carrying out the duties of the panel as well as compensation for their expenses.

(e) DISSEMINATION OF EXEMPLARY AND PROMISING PROGRAMS.—

(1) IN GENERAL.—In order to ensure that programs identified as exemplary or promising are available for adoption by the greatest number of teachers, schools, local and State education agencies, and Bureau of Indian Affairs-funded schools, the Assistant Secretary shall utilize the capabilities of—

(A) the education resources information clearinghouses;

(B) Smartline;

(C) the regional educational laboratories;

(D) the National Diffusion Network;

(E) entities established under the Goals 2000 Community Partnerships Program;

(F) department-supported technical assistance providers;

(G) the National Library of Education; and

(H) other public and private nonprofit entities, including existing education associations and networks, that have the capability to assist educators in adopting exemplary and promising programs.

(2) REQUIREMENTS FOR ASSISTANT SECRETARY.—In carrying out paragraph (1), the Assistant Secretary shall ensure that all such entities are—

(A) kept apprised of the availability of specific programs for dissemination;

(B) provided technical assistance, if necessary, to carry out this dissemination function; and

(C) involved in the national education dissemination system as specified by law.

(f) EDUCATION RESOURCES INFORMATION CLEARINGHOUSES.—

(1) IN GENERAL.—The Assistant Secretary shall establish a system of 16 education resource information clearinghouses having, at a minimum, the functions and scope of work as the clearinghouses had on the date of the enactment of the Educational Research, Development, and Dissemination Excellence Act.

(2) ADDITIONAL FUNCTIONS.—In addition to those functions already being carried out by the clearinghouses, such clearinghouses may—

(A) periodically produce interpretive summaries, digests, and syntheses of the results and findings of education-related research and development; and

(B) contain and make available to users information concerning those programs designated as exemplary and promising under subsection (c).

(3) COORDINATION OF ACTIVITIES.—The Assistant Secretary shall assure that the functions and activities of such clearinghouses are coordinated with the activities of the research institutes, the regional educational laboratories, learning grant institutions, other clearinghouses supported by the Department, the National Diffusion Network, and other appropriate entities within the Office and the Department.

(4) SPECIAL RESPONSIBILITIES OF THE SECRETARY.—To assure that the information provided through such clearinghouses is fully comprehensive, the Secretary shall—

(A) require that all reports, studies, and other resources produced directly or by grant or contract with the Department of Education are made available to clearinghouses;

(B) establish cooperative agreements with the Departments of Defense, Health and Human Services, Interior, and other Federal agencies to assure that all education-related reports, studies, and other resources produced directly or by grant or contract with the Federal Government are made available to such clearinghouses; and

(C) devise an effective system for maximizing the identification, synthesis, and dissemination of information related to the needs of Indian and Alaska Native children.

(5) COPYRIGHT PROHIBITED.—

(A) No clearinghouse or other entity receiving assistance under this subsection may copyright or otherwise charge a royalty or other fee that—

(i) is for the use or redissemination of any database, index, abstract, report, or other information produced with assistance under this subsection; and

(ii) exceeds the incremental cost of disseminating such information.

(B) For purposes of subparagraph (A), the incremental cost of dissemination does not include any portion of the cost of collecting, organizing, or processing the information which is disseminated.

(g) DISSEMINATION THROUGH NEW TECHNOLOGIES.—

(1) IN GENERAL.—The Assistant Secretary is authorized to award grants or contracts in accordance with this subsection to support the development of materials, programs, and resources which utilize new technologies and techniques to synthesize and disseminate research and development findings and other information which can be used to support educational improvement.

(2) SOURCES OF MATERIALS AND RESEARCH ABOUT TEACHING AND LEARNING FOR IMPROVING NATIONWIDE EDUCATION (SMARTLINE).—

(A) ELECTRONIC NETWORK.—The Assistant Secretary, acting through the Office of Reform Assistance and Dissemination, shall establish and maintain an electronic network which shall, at a minimum, link—

(i) each office of the Department of Education;

(ii) the research institutes established by section 405B;

(iii) the National Center for Education Statistics;

(iv) the National Library of Education; and

(v) entities engaged in research, development, dissemination, and technical assistance under grant, contract, or cooperative agreement with the Department of Education.

(B) CERTAIN REQUIREMENTS FOR NETWORK.—The network described in subparagraph (A) shall—

(i) to the extent feasible, build upon existing national, regional, and State electronic networks and support video, telecomputing, and interactive communications;

(ii) at a minimum, have the capability to support electronic mail and file transfer services;

(iii) be linked to and accessible to other users, including State and local education agencies, institutions of higher education, museums, libraries, and others through the Internet and the National Research and Education Network; and

(iv) be provided at no cost (excluding the costs of necessary hardware) to the contractors and grantees described in clause (v) of subparagraph (A) and to educational institutions accessing such network through the Internet and the National Research and Education Network.

(C) INFORMATION RESOURCES.—The Assistant Secretary, acting through the Office of Reform Assistance and Dissemination, may make available through the network described in subparagraph (A)—

(i) information about grant and contract assistance available through the department;

(ii) an annotated directory of current research and development activities and projects being undertaken with the assistance of the Department;

(iii) information about publications published by the Department and, to the extent feasible, the full text of such publications;

(iv) statistics and data published by the National Center for Education Statistics;

(v) syntheses of research and development findings;

(vi) a directory of other education-related electronic networks and databases, including information about the means by which they may be accessed;

(vii) a descriptive listing of materials and courses of instruction provided by telecommunications partnerships assisted under the Star Schools program;

(viii) resources developed by the ERIC Clearinghouses;

(ix) education-related software (including video) which is in the public domain;

(x) a listing of instructional materials available through telecommunications to local education agencies through the Public Broadcasting Service and State educational television networks; and

(xi) such other information and resources the Assistant Secretary considers useful and appropriate.

(D) EVALUATIONS REGARDING OTHER FUNCTIONS OF NETWORK.—The Assistant Secretary shall also undertake projects to test and evaluate the feasibility of using the network described in subparagraph (A) for—

(i) the submission of applications for assistance to the Department; and

(ii) the collection of data and other statistics through the National Center for Education Statistics.

(E) TRAINING AND TECHNICAL ASSISTANCE.—The Assistant Secretary, acting through the Office of Reform Assistance and Dissemination, shall—

(i) provide such training and technical assistance as may be necessary to enable the contractors and grantees described in clause (v) of subparagraph (A) to participate in the electronic network described in such subparagraph; and

(ii) work with the National Science Foundation to provide, upon request, assistance to State and local education agencies, the Department of the Interior's Office of Indian Education Programs, tribal departments of education, State library agencies, libraries, museums, and other educational institutions in obtaining access to the Internet and the National Research and Education Network.

(h) REGIONAL EDUCATIONAL LABORATORIES.—

(1) REGIONAL EDUCATIONAL LABORATORIES.—The Assistant Secretary shall enter into contracts with public or private nonprofit entities to establish a networked system of 10 regional educational laboratories which serve the needs of each region of the Nation in accordance with the provisions of this subsection. For the purposes of this subsection, the term "region" means 1 of the 10 geographic regions set forth in section 2(a) of part 707 of title 34, Code of Federal Regulations (34 CFR 707.2(a)), as published in number 157 of volume 53 of the Federal Register on August 15, 1988.

(2) DUTIES.—Each regional educational laboratory receiving assistance under this subsection shall, with such assistance, assist State education agencies, intermediate education agencies, local school districts, and schools funded by the Bureau of Indian Affairs in implementing broad-based, systemic school improvement strategies through the use of applied research and development activities. The regional educational laboratories shall support such system-wide reform efforts through—

(A) the development of a plan for identifying needs and for serving the needs of the region by conducting a continuing survey of the educational needs, strengths and weaknesses within the region, including a process of open hearings to solicit the views of schools, teachers, administrators, parents, local educational agencies, librarians, and State educational agencies within the region;

(B) the dissemination of information about programs designated as exemplary and promising under subsection (c) and other appropriate programs and practices;

(C) the provision of support and technical assistance in—

(i) replicating and adapting such exemplary and promising practices;

(ii) the development of high-quality, challenging curriculum frameworks;

(iii) the development of valid, reliable, fair systems of assessment which are based upon State, local, or Bu-

reau of Indian Affairs-funded school curriculum frameworks and reflect recent advances in the field of educational assessment;

(iv) the improvement of professional development strategies to assure that all teachers are prepared to teach a challenging curriculum;

(v) expanding and improving the use of technology in education to improve teaching and learning;

(vi) the development of alternatives for restructuring school finance systems to promote greater equity in the distribution of resources;

(vii) the development of alternative administrative structures which are more conducive to planning, implementing, and sustaining school reform and improved educational outcomes;

(D) the development of educational programs and practices that address State, regional, or Indian tribal needs in relating to their school reform efforts;

(E) facilitating communication between educational experts, school officials, and teachers, parents, and librarians, to enable such individuals to assist schools to develop a plan to meet the national education goals;

(F) bringing teams of experts together to develop and implement school improvement plans and strategies;

(G) the provision of training in—

(i) the field of education research and related areas;

(ii) the use of new educational methods; and

(iii) the use of information-finding methods, practices, techniques, and products developed in connection with such training for which the regional educational laboratory shall be authorized to support internships and fellowships and to provide stipends; and

(H) the provision of support and technical assistance (upon their request) to State facilitators funded through the National Diffusion Network.

(3) NETWORKING.—In order to improve the efficiency and effectiveness of the regional laboratories, the governing boards of the ten regional laboratories shall establish and maintain a network to—

(A) share information about the activities each is carrying out;

(B) plan joint activities that would meet the needs of multiple regions;

(C) create a strategic plan for the development of activities undertaken by the laboratories to reduce redundancy and increase collaboration and resource-sharing in such activities; and

(D) otherwise devise means by which the work of the individual laboratories could serve national, as well as regional, needs.

(4) ADDITIONAL DUTIES.—Each regional education laboratory receiving assistance under this subsection shall carry out the following activities:

(A) Collaborate with the Institutes established under section 405B in order to—

(i) maximize the use of research conducted through the Institutes in the work of such laboratory;

(ii) keep the Institutes apprised of the work of the regional educational laboratories in the field; and

(iii) inform the Institutes about additional research needs identified in the field.

(B) Consult with the State educational agencies and library agencies in the region in developing the plan for serving the region.

(C) Develop strategies to utilize schools as critical components in reforming education and revitalizing rural communities in the United States.

(D) Report and disseminate information on overcoming the obstacles faced by rural educators and rural schools.

(E) Identify successful educational programs that have either been developed by such laboratory in carrying out its functions or that have been developed or used by others within the region served by the laboratory and make such information available to the Secretary and the network of regional laboratories so that they may be considered for inclusion in the national education development and dissemination system.

(5) CERTAIN REQUIREMENTS.—In carrying out its responsibilities, each regional educational laboratory shall—

(A) establish a governing board that—

(i) is the sole entity that—

(I) guides and directs the laboratory in carrying out the provisions of this subsection and satisfying the terms and conditions of the contract award; and

(II) determines the regional agenda of the laboratory, consistent with the priority research and development needs identified in section 405(b)(3); and

(ii) reflects a balanced representation of the States in the region, as well as the interests and concerns of regional constituencies;

(B) comply with the standards established by the Assistant Secretary and the Board under section 405A;

(C) coordinate its activities, collaborate, and regularly exchange information with the institutes established under section 405C, the National Diffusion Network, and its Developer Demonstrator and State Facilitator projects, learning grant institutions and district education agents assisted under subsection (i), the ERIC Clearinghouses, and other entities engages in technical assistance and dissemination activities which are supported by other Offices of the Department of Education; and

(D) allocate its resources to and within each State in a manner which reflects the need for assistance, taking into account such factors as the proportion of economically disadvantaged students, the increased cost burden of service

delivery in areas of sparse populations, and any special initiatives being undertaken by State, intermediate, local education agencies, or Bureau of Indian Affairs-funded schools which may require special assistance from the laboratory.

(6) EVALUATIONS.—The Assistant Secretary shall provide for periodic, independent evaluations of each of the laboratories in carrying out the duties described in paragraph (1) in accordance with the standards developed by the Assistant Secretary and the Board and transmit the results of such evaluations to the relevant committees of the Congress, the Board, and the appropriate regional educational laboratory board.

(7) INVITATION REGARDING COMPETITION FOR AWARDS OF ASSISTANCE.—Prior to awarding a grant or entering into a contract under this section, the Secretary shall invite applicants, including the existing regional educational laboratories, to compete for such award through notice in the Federal Register and in the publication of the Department of Commerce known as the Commerce Business Daily.

(8) APPLICATION FOR ASSISTANCE.—Each application for assistance under this subsection shall—

(A) cover not less than a 5-year period;

(B) describe how the applicant would carry out the activities required by this subsection; and

(C) contain such additional information as the Secretary may reasonably require.

(9) RULE OF CONSTRUCTION.—No regional educational laboratory receiving assistance under this subsection shall, by reason of the receipt of that assistance, be ineligible to receive any other assistance from the Department as authorized by law.

(10) ADVANCE PAYMENT SYSTEM.—Each regional educational laboratory shall participate in the advance payment system at the Department of Education.

(i) GOALS 2000 COMMUNITY PARTNERSHIPS PROGRAM.—

(1) PURPOSE.—The purpose of the Goals 2000 Community Partnerships program is to improve the quality of learning and teaching in the Nation's most impoverished urban and rural communities by supporting sustained collaborations between universities, schools, businesses, and communities which apply and utilize the results of educational research and development.

(2) GRANTS FOR GOALS 2000 COMMUNITY PARTNERSHIPS.—The Assistant Secretary is authorized to make grants to eligible entities to support the establishment of Learning Grant Institutions and District Education Agents and the activities authorized under this subsection within eligible communities.

(3) DEFINITION OF ELIGIBLE ENTITY AND ELIGIBLE COMMUNITY.—For the purposes of this subsection:

(A) The term "eligible entity" includes any institution of higher education, regional education laboratory, National Diffusion Network project, national research and development center, public or private nonprofit corporation, or any consortium thereof that—

(i) has demonstrated experience, expertise and commitment in serving the educational needs of at-risk students; and

(ii) is, by virtue of its previous activities, knowledgeable about the unique needs and characteristics of the community to be served.

(B) The term "eligible community" means a unit of general purpose local government (such as a city, township, or village), a nonmetropolitan county, tribal village, or a geographically distinct area (such as a school district, school attendance area, ward, precinct or neighborhood), or any group of such entities that—

(i) has a population of not less than 200,000 and not more than 300,000; and

(ii) in which not less than one-half of the school-age children have family incomes which are below the poverty line, as determined by the 1990 United States Census, participation in the National School Lunch program, or other current, reliable data concerning family income.

(4) GOALS 2000 COMMUNITY PARTNERSHIPS.—Each learning grant institution receiving assistance under this subsection shall establish a Goals 2000 community partnership to carry out the activities authorized under this subsection. Such partnership—

(A) shall include the participation of one or more local educational agencies, institutions of higher education, community-based organizations, parents, teachers, and the business community;

(B) may include the participation of human, social service and health care agencies, Head Start and child care agencies, libraries, museums, employment and training agencies, and the State educational agency or tribal department of education; and

(C) shall be broadly representative of all segments of the community in which the activities will be carried out.

(5) COMPREHENSIVE GOALS 2000 PLAN.—Each Goals 2000 Community Partnership shall develop a comprehensive plan for assuring educational success and high achievement for all students in the community. Each such plan shall—

(A) adopt the 6 national educational goals;

(B) identify additional needs and goals for educational improvement within the community;

(C) focus on helping all students reach challenging content and student performance standards;

(D) be consistent with the State and local plan for system-wide education improvement developed pursuant to the Goals 2000: Educate America Act;

(E) establish a comprehensive community-wide plan for achieving such goals; and

(F) develop a means for measuring the progress of the community in meeting such goals for improvement.

(6) IMPLEMENTATION OF COMMUNITY-WIDE PLAN.—Each Goals 2000 Community Partnership shall, utilizing the District Education Agent, provide assistance in implementing the community-wide plan for educational improvement by—

(A) supporting innovation, restructuring, and continuous improvement in educational practice by—

(i) disseminating information throughout the community about exemplary and promising educational programs, practices, products, and policies;

(ii) evaluating the effectiveness of federally funded educational programs within the community and identifying changes in such programs which are likely to improve student achievement;

(iii) identifying, selecting and replicating exemplary and promising educational programs, practices, products, and policies in both in and out-of-school settings;

(iv) applying educational research to solve specific problems in the classroom, home and community which impede learning and student achievement; and

(v) supporting research and development by teachers, school administrators, and other practitioners which promise to improve teaching and learning and the organization of schools;

(B) improving the capacity of educators, school administrators, child care providers and other practitioners to prepare all students to reach challenging standards and to attain the goals set out in the comprehensive community-wide plan through such means as—

(i) the training of prospective and novice teachers (including preschool and early childhood educators) in a school setting under the guidance of master teachers and teacher educators;

(ii) training and other activities to promote the continued learning and professional development of experienced teachers, related services personnel, school administrators to assure that they develop the subject matter and pedagogical expertise needed to prepare all students to reach challenging standards;

(iii) training and other activities to increase the ability of prospective, novice, and experienced teachers to teach effectively at-risk students, students with disabilities, students with limited English language proficiency, and students from diverse cultural backgrounds; and

(iv) programs to enhance teaching and classroom management skills, including school-based management skills, of novice, prospective, and experienced teachers;

(C) promoting the development of an integrated system of service delivery to children from birth through age 18 and their families by facilitating linkages and cooperation among—

(i) local education agencies;

(ii) health and social services agencies and providers;

(iii) juvenile justice and criminal justice agencies;

(iv) providers of employment training; and

(v) child care, Head Start, and other early childhood agencies; and

(D) mobilizing the resources of the community in support of student learning and high achievement by facilitating effective partnerships and collaboration among—

(i) local education agencies;

(ii) postsecondary educational institutions;

(iii) public libraries;

(iv) parents;

(v) community-based organizations, neighborhood associations, and other civic and community organizations;

(vi) child care, Head Start, and other early childhood agencies;

(vii) churches, synagogues and other religious institutions;

(viii) labor organizations; and

(ix) business and industry.

(7) ADDITIONAL REQUIREMENTS.—In carrying out its responsibilities under this subsection, each partnership receiving assistance under this subsection shall—

(A) appoint a District Education Agent who shall be responsible, on a full-time basis, for directing the implementation of the community-wide plan. Such individual shall have significant experience and expertise in the field of education in—

(i) addressing the needs of at-risk students; and

(ii) conducting educational research and promoting the application of the results of such research to educational practice;

(B) provide for such other professional and support personnel as may be necessary to implement the community-wide plan under the direction of the District Education Agent; and

(C) coordinate its activities and work cooperatively with the National Diffusion Network State facilitators, regional laboratories, and other components of the Office to utilize most effectively Federal research, development, and dissemination resources in implementing the community-wide plan.

(8) APPLICATION FOR GRANTS.—Any eligible entity desiring a grant under this subsection shall submit an application to the Assistant Secretary at such time, in such manner, and accompanied by such information as the Assistant Secretary may reasonably require. Each such application shall—

(A) include a comprehensive plan for meeting the objectives and requirements of this subsection; and

(B) provide evidence of support for the application from local elected officials, the State education agency, the local education agency, parents, local community leaders, businesses, and other appropriate organizations.

(9) PRIORITY IN MAKING GRANTS; DURATION AND AMOUNT OF GRANT.—Each grant made under this subsection shall be—

(A) awarded on a competitive basis, with first priority given to those applications from communities with the

greatest percentage of school-age children in families with poverty-level incomes;

(B) made for a 5-year period, with funding for the second and each successive year in this period conditioned upon a determination by the Assistant Secretary that the grant recipient has complied with the conditions of the grants during the previous year; and

(C) an amount equal to not less than $1,000,000 per year.

(10) LIMITATION OF ONE GRANT PER CONGRESSIONAL DISTRICT.—Not more than one grant shall be awarded within a single congressional district.

(11) TECHNICAL ASSISTANCE; EVALUATIONS.—In administering the program authorized under this subsection, the Assistant Secretary shall, either directly or through grant or contract with an eligible nonprofit agency—

(A) upon request, provide technical assistance to eligible entities to assist in the development of a comprehensive plan to meet the requirements of this subsection and in the preparation of applications for assistance;

(B) regularly provide technical assistance to learning grant institutions receiving assistance under this subsection to assist with the development and implementation of the community-wide plan for educational improvement;

(C) provide for an independent evaluation of the activities assisted under this subsection, including—

(i) the impact of the Goals 2000 Community Partnerships program on children and families within each community, including (but not limited to) effects on the extent of educational achievement, rates of school retention and completion, and enrollment in program postsecondary educational programs; and

(ii) whether an intensified effort to apply and utilize educational research within a limited geographic area significantly improves student learning and achievement; and

(D) plan for the expansion of the Goals 2000 Community Partnerships program throughout the remainder of the Nation beginning in fiscal year 1998.

(j) TEACHER RESEARCH DISSEMINATION NETWORK.—

(1) FINDINGS.—The Congress finds that—

(A) education research, including research funded by the Office, is not having the impact on the Nation's schools that such research should;

(B) relevant education research and resulting solutions are not being adequately disseminated to the teachers that need such research and solutions;

(C) there are not enough linkages between the research and development centers assisted under this section, the regional educational laboratories described in subsection (k), the National Diffusion Network State facilitators, the Education Resources Information Clearinghouses, and the public schools, to ensure that research on effective practice is disseminated and technical assistance provided to all teachers;

(D) the average teacher has almost no time to plan or engage in a professional dialogue with such teacher's peers about strategies for improving learning;

(E) teachers do not have direct access to information systems or networks;

(F) teachers have little control over what in-service education teachers will be offered; and

(G) individual teachers are not encouraged to move beyond the walls of their classrooms to identify and use outside resources.

(2) PROGRAM AUTHORIZED.—

(A) The Assistant Secretary shall enter into contracts with regional educational laboratories, in partnership with 1 or more institutions of higher education in each State of its region, the National Diffusion Network, and other entities with demonstrated experience, expertise, and commitment in the areas of teacher research or teacher professional development, such as the national research and development centers, professional teacher organizations, and other qualified organizations and associations, in the region to carry out activities described in paragraph (3).

(B) The Assistant Secretary shall enter into contracts under this subsection in an equitable manner and shall provide assistance on the basis of the number of schools, teachers, and students in each regional educational laboratory region with attention given to populations with special needs and the increased cost burden of service delivery in regions of sparse population.

(C) Contracts under this subsection shall be awarded for a period of not less than 3 years.

(3) PROGRAM ACTIVITIES.—

(A) Each regional partnership described in paragraph (2)(A) entering into a contract under this subsection shall carry out programs of providing training to teachers relevant to the needs and problems of the schools and school districts where teachers, who participate in the programs, serve. The purpose of such programs shall be to—

(i) educate teachers on how to acquire information about education research findings and best practices;

(ii) provide teachers with current education research and development theory, skills, and practice as shall enable them to modify, design, develop, and adapt such findings and practices to effect local district and classroom outcomes that improve education;

(iii) enable teachers to become actively involved in the applied research and development process;

(iv) provide teachers the ability to become leaders in the utilization of applied research and to become active participants in the Federal research and development partnership;

(v) enhance the ability of teachers to evaluate and choose effective education programs and curricula; and

(vi) facilitate collaboration between the teacher change agent and the National Diffusion Network State facilitator.

(B) Teachers that participate in training assisted under this subsection shall be known as "teacher change agents".

(C) The program described in subparagraph (A) shall provide teacher change agents with training during the summer and at such other times as agreed to by the district, which shall—

(i) give teacher change agents knowledge and guidance in using the existing educational improvement services and resources funded by the United States Department of Education and other major research organizations, including the products and work of the regional educational laboratories, professional teacher organizations, the National Diffusion Network, institutions of higher education, the Educational Research Information Centers, National Research Centers, National Research Institutes, State Departments of Education, local education agencies, and other nonprofit organizations participating in the improvement of education;

(ii) provide teacher change agents with indepth knowledge about a number of products, programs, and processes developed by entities described in clause (i) that the teacher change agents judge most relevant to the needs of the district or districts they will serve;

(iii) inform teacher change agents about government programs, including, but not limited, to programs in government agencies other than the Department of Education, which offer research opportunities, fellowships, and funding; and

(iv) provide teacher change agents with instruction in technical assistance skills in order to increase their capacity to aid district and school site teacher teams responsible for leading school improvement activities at the district and school site level.

(D) The school year activities described in subparagraph (A) shall provide teacher change agents participating in such program during the school year with—

(i) opportunities to meet with other teacher change agents to exchange experiences;

(ii) additional training or assistance as needed or requested;

(iii) updates in education research, application, and findings; and

(iv) opportunities to provide feedback into the educational research infrastructure regarding needed research and ways to improve the development and dissemination of information.

(E) The regional partnership program may support educational improvement and reform activities such as—

(i) training in applied research methodologies;

(ii) assistance in conducting applied research;

(iii) teacher research sabbaticals;

(iv) video conferencing for additional training in order to reduce travel time and expenses;

(v) training in developing and implementing effective teacher in-service training;

(vi) training in change management, including strategies for restructuring schools, building local capacity, and generally strengthening the culture of schools so that schools are conducive and supportive of change, including training in interpersonal and leadership skills; and

(vii) training in the appropriate use of technology to assist classroom teachers.

(F) TEACHER RESPONSIBILITIES.—Teacher change agents shall, during the school year—

(i) meet with other teachers and district or school site teacher teams to provide other teachers with knowledge about how to acquire information regarding education research findings and best practices, including what resources are available from the Department of Education and how to obtain products and technical services from the Department;

(ii) meet with the National Diffusion Network State Facilitator to coordinate and not duplicate efforts in the dissemination of exemplary educational programs;

(iii) help interested schools identify resources needed to address the school's needs and act as liaison between the school and the appropriate resource entities, such as regional educational laboratories, centers, national institutes, institutions of higher education, professional teacher organizations, scholars, consultants, and other schools and school districts that may be of assistance;

(iv) teach other teachers how to use the products, programs, and processes in which the teacher was trained pursuant to paragraph (2)(C)(II);

(v) work with other teachers and teacher teams to adapt identified exemplary practices, programs, and research results to implement school site or classroom improvements as desired, and provide follow-up activities throughout a 2-year period to ensure the successful adaptation and implementation of such programs in local schools; and

(vi) inform teachers about how they can obtain Federal research funding, fellowships, and sabbaticals.

(G) APPLICATION.—

(i) IN GENERAL.—Each regional partnership desiring a contract under this subsection shall submit to the Secretary an application at such time, in such manner, and accompanied by such information as the Assistant Secretary may reasonably require.

(ii) CONTENTS.—Each application described in clause (i) shall—

(I) contain a plan acceptable to affected States and local education agencies for conducting the program to be assisted under this section;

(II) contain assurances that the partnership requirements are fulfilled;

(III) contain assurances that both district and school site teacher teams will be established to work in conjunction with the teacher change agent;

(IV) contain a plan for the selection of district and school site teacher team participants and others as deemed appropriate by the teacher change agent and the regional partnership;

(V) contain assurances that the regional partnership, in conjunction with the participating school districts, shall provide each teacher change agent with a stipend for the entire calendar year commensurate with such teacher's salary and travel expenses, to permit a teacher to participate in such program without incurring loss of income;

(VI) contain assurances that each teacher change agent participating in the program shall receive an award of not more than $10,000 to be used by such teacher during the school year of such teacher's participation to purchase materials, support, and coordinate with other teachers or site teacher teams in the school district;

(VII) contain assurances that such regional partnerships shall provide not more than $5,000 to each school district or group of school districts having an individual from such district or districts participating in the program assisted under this section for each of the 2 years following such participation to enable such school district or districts to continue efforts to improve dissemination of effective practices and programs within the district or districts;

(VIII) contain assurances that representatives of State educational agencies, intermediate educational agencies, teacher centers, teacher educators at institutions of higher education, and school district in-service or curriculum specialists will be eligible to participate in the program assisted under this section if such individuals pay the cost of their participation; and

(IX) contain an assurance that such regional partnership shall permit a teacher to participate in the program only after such partnership determines that the teacher will be afforded a full opportunity by the district to perform such teacher's responsibilities described in paragraph (3)(F).

(4) TEACHER SELECTION AND ELIGIBILITY.—

(A) NOMINATION.—Teacher participants in the program assisted under this subsection shall be nominated by their peers at the school district level.

(B) ELIGIBILITY.—Each school district or group of school districts desiring to have teachers from such district or districts participate in the program assisted under this subsection shall provide the regional partnership with the names of such teachers, and an indication of the type of issues or problems on which each such teacher would like to receive information and training.

(C) SELECTION.—

(i) Teacher participants shall be selected by the regional partnerships in consultation with the State educational agencies in the region. Teacher participants shall be selected in such a manner so as to ensure an equitable representation of such teachers by State and school enrollment within the region.

(ii) The number of teachers selected each year shall be determined in accordance with the amount of funding received by the regional partnership.

(5) INDEPENDENT EVALUATION.—

(A) IN GENERAL.—The Assistant Secretary shall provide for an independent evaluation of the program assisted under this subsection to determine the net impact and cost effectiveness of the program and the reactions of teachers and school districts participating in such program, including any career plan changes of participating teachers.

(B) DATE.—The evaluation described in subparagraph (A) shall be submitted to the Congress within 6 months after the completion of the third year of the program.

(C) FUNDING.—The Assistant Secretary may reserve not more than $250,000 of the amount appropriated under section 405(i)(2)(E) to carry out the evaluation described in this paragraph.

NATIONAL LIBRARY OF EDUCATION

SEC. 405D. (a) IN GENERAL.—There is established within the Office a National Library of Education (hereafter in this section referred to as the "Library"), which shall be maintained as a governmental activity.

(b) FUNCTIONS OF LIBRARY.—The functions of the Library are—

(1) to provide a central location within the Federal Government for information about education;

(2) to provide comprehensive reference services on matters related to education to employees of the Department of Education and its contractors and grantees, other Federal employees, and members of the public; and

(3) to promote greater cooperation and resource sharing among providers and repositories of education information in the United States.

(c) ONE-STOP INFORMATION AND REFERRAL SERVICE.—The Library shall establish and maintain a central information and referral service to respond to telephonic, mail and electronic and other inquiries from the public concerning—

(1) programs and activities of the Department of Education;

(2) publications produced by the Department of Education and, to the extent feasible, education related publications pro-

duced by the Departments of Labor, Health and Human Services, and other Federal agencies;

(3) services and resources available to the public through the Office, including the ERIC Clearinghouses, the research institutes, and the national education dissemination system;

(4) statistics and other information produced by the National Center for Education Statistics; and

(5) referrals to additional sources of information and expertise about educational issues which may be available through educational associations and foundations, the private sector, colleges and universities, libraries and bibliographic databases.

The Library shall maintain and actively publicize a toll-free telephone number through which public inquiries to the Library may be made.

(d) COMPREHENSIVE REFERENCE SERVICES.—The Library shall, to the extent feasible, provide for the delivery of a full range of reference services on subjects related to education to employees of the Department and its contractors and grantees, other Federal employees, and members of the general public. Such services may include—

(1) specialized subject searches;

(2) search and retrieval of electronic databases;

(3) document delivery by mail and facsimile transmission;

(4) research counseling, bibliographic instruction, and other training services;

(5) interlibrary loan services; and

(6) selective dissemination of information services.

The Library shall first give priority in the provision of reference services to requests made by employees of the Department.

(e) COOPERATION AND RESOURCE SHARING.—The Library shall promote greater cooperation and resource sharing among libraries and archives with significant collections in the area of education through such means as—

(1) the establishment of information and resource sharing networks among such entities;

(2) the development of a national union list of education journals held by education libraries throughout the United States;

(3) the development of directories and indexes to textbook and other specialized collections held by education libraries throughout the United States; and

(4) cooperative efforts to preserve, maintain and promote access to items of special historical value or interest.

(f) ADMINISTRATION.—The Library shall be administered by an Executive Director who shall—

(1) be appointed by the Assistant Secretary from among persons with significant training or experience in library and information science;

(2) serve for a renewable term of 5 years; and

(3) be paid at not less than the minimum rate of basic pay payable for GS–15 of the General Schedule.

(g) TASK FORCE.—

(1) IN GENERAL.—The Assistant Secretary shall appoint a task force of librarians, scholars, teachers, parents, and school leaders (hereafter in this paragraph referred to as the "Task Force") to provide advice on the establishment of the Library.

(2) PREPARATION OF PLAN.—The Task Force shall prepare a workable plan to establish the Library and to implement the requirements of this section.

(3) CERTAIN AUTHORITIES.—The Task Force may identify other activities and functions for the Library to carry out, except that such functions shall not be carried out until the Library is established and has implemented the requirements of this section.

(4) REPORT.—The Task Force shall prepare and submit to the Assistant Secretary not later than 6 months after the first meeting of the Task Force a report on the activities of the Library.

(h) TRANSFER OF FUNCTIONS.—There are hereby transferred to the Library all functions of—

(1) the Department of Education Research Library;

(2) the Department of Education Reference Section; and

(3) the Department of Education Information Branch.

(i) COLLECTION DEVELOPMENT POLICY.—Not later than 180 days after the enactment of the Educational Research, Development, and Dissemination Excellence Act, the Assistant Secretary shall promulgate a comprehensive collection development policy to govern the Library's operations, acquisitions, and services to users. Such collection development policy shall—

(1) be consistent with the functions of the Library set out in subsection (b);

(2) emphasize the acquisition and maintenance of a comprehensive collection of reference materials; and

(3) avoid unnecessary duplication by putting a priority on meeting the information needs of the Library's users through cooperation and resource-sharing with other entities with significant collections in the field of education.

(j) ARREARAGE AND PRESERVATION.—On the basis of the collection development policy promulgated under subsection (h), the Executive Director shall develop a multiyear plan which shall set forth goals and priorities for actions needed to—

(1) eliminate within 3 years the arrearage of uncataloged books and other materials in the Library's collections; and

(2) respond effectively and systematically to the preservation needs of the Library's collections, relying, whenever possible, upon cooperative efforts with other institutions to preserve and maintain the usability of books and materials in the Library's collections.

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SECTION 202 OF THE DEPARTMENT OF EDUCATION ORGANIZATION ACT

PRINCIPAL OFFICERS

SEC. 202. (a) * * *

(b)(1) There shall be in the Department—

(A) * * *

* * * * * * *

[(E) an Assistant Secretary for Educational Research and Improvement;]
[(F)] *(E)* an Assistant Secretary for Civil Rights; and
[(G)] *(F)* a General Counsel.

* * * * * * *

(3) There shall be in the Department an Assistant Secretary for Educational Research and Improvement who shall be—

(A) appointed by the President, by and with the consent of the Senate; and

(B) selected in consultation with the National Educational Research Policy and Priorities Board from among individuals who—

(i) are distinguished educational researchers;

(ii) have proven management ability; and

(iii) have substantial knowledge of education within the United States.

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